THE

SECOND and *THIRD*

TREATISES

Of the First Part of *Ancient*

CHURCH-GOVERNMENT.

THE

SECOND TREATISE

Containing a Discourse of the

SUCCESSION

OF

CLERGY.

by Mr. Abraham Woodhead

OXFORD,

Printed in the Year MDCLXXXVIII.

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TO THE READER.

IN the First Treatise of the First Part of *Church-Government*, Printed *A. D.* 1662, and Reprinted 1685, is contain'd the *Succession of the Apostles to our Lord in his Pastoral Office*, and the *Primacy of St. Peter*; then the *Succession of Bishops to the Apostles*; *their Authority*; and the *Subordination to them of Presbyters*.

In this Second Treatise is discoursed, the *Indeficiency of the Clergy*, and of the *Evangelical Doctrine* deliver'd to them by our Lord.

In the Third is contain'd the *Subordination of Bishops*; their several *Jurisdictions*; and the *Primacy* and *Supreme Authority* of the Bishop of *Rome*.

CORRIGENDA.

Page 6. *l.* 7. *ought not to do*; the page ſhould be 14.
P. 24. *l.* 28. *Mat.* 23. 2, 3.
P. 42. *l.* 30. *Biſhop Andrews in anſwer.*

SUCCESSION OF CLERGY.

§. 1. THese two things having been, as I suppose, sufficiently prov'd in a Treatise of *Ancient Church-Government* already published, First, Our Lord's deriving his Authority and Pastoral Office here on Earth upon his Apostles; and this not with an equal parity. Secondly, And again, the Apostles transferring the same Office to others: And this also, for preventing Schisms, and preserving Order and Peace in the Church, done, as before, not with an exact equality amongst all the Clergy, but with a certain preeminence and superiority of some above the rest, the Bishops above the Presbyters; and this a superiority too not only of precedence or honour (which would not have cured Schisms), but of Office and Authority.

I now proceed to shew more at large:

That Christ hath left the same his Ministers, 1. The infallible Preservers of all necessary Faith, and the supreme Judges to be submitted-to in all spiritual doubts and controversies.

2. These in this their Government independent-on, and not dissolvable by any external secular power.

3. Firmly united among themselves in one external Profession, and Communion not ruinable by any intestine Division.

§. 2. For the first of these I shall shew you:

1. *That* considering men's ordinary frailties and passions, *there is a clear necessity of such a Judg* to decide Controversies, resolve Doubts, suppress false Doctrines, &c. And

2. *That there hath always been appointed in the Church of God,* besides the Rule, *such a Judg,* both under the Law and under the Gospel; and men never left to their own Conduct in Religion.

§. 3. 1. A necessity of such a Judg sufficiently appears from this: 1. That never any Body of Laws hath been so punctually set down, but that many doubts and questions do arise in the practice of it; a thing which experience hath verified in as many such Bodies as have been made. But

2. Could such a Law be, yet that the Canon of Scripture is far from being such as to every part thereof, is evident from the many Controversies of Religion, that are on foot amongst those who all acknowledg the same Canon, and who must be said, at least some of them on all sides, to be both of quick capacity and sober judgment, and sufficient integrity: seeing that almost whole Nations have thus opposed one another, all whose capacities or integrities it were too much uncharitableness and pride to question. Here therefore whereas frequently both the contrary parties use to say the Scripture is plain on their own side, they both shew that it is difficult; and whereas both also could with an Arbiter of Controversies at least to silence their Adversary, they mutually confess One necessary for them both. And so long as sober Judgments contradict in their expositions of Scripture, tho both should say, that the Scripture is clear, yet neither can say that in respect of all men it is so. And so long there is necessary another Judg besides Scripture, especially when none in Religious matters will confess that they contest about a Controversie which is not necessary to be decided. Indeed this happens ordinarily, that some sentences of Scripture

ture seem plain on one side, and other sentences thereof plain on another; but since all parts of Divine truth must cohere and accord, the more plainness in this manner makes it the more difficult. And therefore, we commonly see, that in their not well-comparing of several Scriptures, but fastning their thoughts only on some parcel thereof, to which their fancy or interest specially guides them, the more ignorant are the more confident, and less doubting, and they who have least compar'd things, sooneſt decide them. And thus those who have the Scriptures the more common, and open to each man's comment (without dependance on any other Judg than themselves) run into great varieties of Opinions and Sects. 2 St. *Pet.* 3. 16. takes notice concerning a chief part of the Scriptures, and that written purposely for instruction, St. *Paul's* Epistles; [but not only concerning these, but the other Scriptures too, see the end of *v.* 16.] that in them there were *some things hard to be understood, which they that were unlearned and unstable did wrest to their own destruction.* These things then of consequence, the mistaking of which tended to the Mistaker's destruction; which yet men, even in his days, mistook by being *unlearned*, *i. e.* not well taught in Christianity, which teaching they must have from their Pastors; and *unstable*, which must be by departing from the Doctrines receiv'd from their Pastors, as the words following *v.* 17. also imply. Now I see not why the same accident concerning the same Scriptures should not happen still to the illiterate and unstable, disclaiming any other Judg save these Scriptures, and conceiting that God's Written Word hath render'd his Ministers useless. This is said for the necessity of a Judg in matters of Religion, where Scriptures indeed (as St. *Peter* saith of them) have some difficulty. But

3. Since Controversies may be raised and maintain'd by the peevishness, and perverseness, and passion of a Party, even where Scriptures are clear enough, here also no less necessary is a Judg juridically to suppress and silence those who *irrationally*, and many times with *autocatacrisie*, thus offend. But

4. It is possible also, that some very material Controversies there may be in Religion, wherein the Scriptures have either been silent, or have not spoken to them so expresly and openly, but that they must be drawn out from thence by several deductions. Here then also some other Judg is necessary.

§. 4. Such a *Judg* therefore is *necessary* to be. And therefore *such a Judg there always hath been appointed by God* to be consulted and submitted to by his people, both before the Law Written, and under the Law Written, and under the Gospel.

First, *In the times before the Law Written*, even from the very infancy of the World, God ever had a Church, contradistinct after *Adam*'s Fall (of whose Sons, as some were good, so others were impious) to the rest of the world, serving God in a publick external Communion, and under several other Laws besides that of Nature written in every man's Conscience, *Rom.* 2. 14, 15. Laws and Rules of Worship reveal'd and deliver'd by God to *Adam* himself at first, or to other Holy men even of the first times, and many of these Laws the same with those afterward recorded by *Moses*. So for the Church, we find righteous *Abel* serving God in a way well-pleasing to him, and offering acceptable Sacrifice, and (an early type of our Saviour) slain and martyr'd by the Head of the Race of the Church's Persecutors, out of envy to his sanctity, *Heb.* 11. 4. *1 Joh.* 3. 12.

3. 12.— Upon his death *Seth* raiſed in his ſtead a Father of the Holy Race, *Gen.* 5. 1, 2, 3.— His Son *Enos* the firſt more eminent publick Preacher of Righteouſneſs, ſee 2 *Pet.* 2. 5.— In whoſe time it is ſaid, that people now *began* more publickly *to call on the name of the Lord*,–*Gen.* 4. 26.–*Enoch*, the fifth from him, a Prophet, *Jude* 14.–and in a moſt ſingular manner pious, *Gen.* 5. 24. –*Heb.* 11. 5, 6.—the eighth from *Enos*, *Noah* again a famous Preacher of Righteouſneſs, 1 *Pet.* 3. 19.–2 *Pet.* 2. 5. In whoſe times the Members of the Church are by a ſpecial name call'd *the Sons of God*, *Gen.* 5. 2.–From him again we find the Church continued to *Abraham* a Prophet, *Gen.* 20. 7. *Pſal.* 105. 15.—In whoſe time alſo was *Melchiſedech the Prieſt of the moſt high God*, *Gen.* 14. 18. And to *Abraham* we find a Promiſe made by God of the never-failing of his Seed, *i. e.* of the Children of his Faith and Holy Religion; *i. e.* of the Church. So ſoon as this Spiritual Seed began to ceaſe among the *Jews*, then it being continued to him ſtill among the *Gentiles*. See *Rom.* 4. 12.–16. 17. *Gal.* 3. 7, *&c.* *Gal.* 4. *Joh.* 8. 39. 44.—*Luk.* 19. 9.

This for the old Church. Next for the old Laws, Rules, and Government under which it liv'd, we find early mention of ſeveral of theſe long before *Moſes* his committing them to record. Of Holy Perſons, Prieſts, Prophets, Interceſſors, *Gen.* 14. 18,–20. 7, 17. *Exod.* 19. 22. –24. 5. Of Holy Times, *Gen.* 2. 3. *Exod.* 16. 23. Of Holy Places, *Gen.* 4. 12, 14, 16.–28. 17.–35. 1.–12. 6.–26. 25. *Ex.* 3. 5. Of Altars, *Gen.* 8. 20. which the Patriarchs built in ſuch places where God appear'd to them,–*Gen.* 12. 6. –26. 25. Or where they made a longer abode, *Gen.* 12. 8. –13. 4, 18. Of Sacrifice; Sacrifice of the firſtlings; and of the fat, *Gen.* 4. 3, 4. Burnt Offerings and Peace Offerings, §. 5.

ferings, *Gen.* 8. 20.–*Exod.* 5. 1.–10. 25.— The Birds in Sacrifice not divided, *Gen.* 15. 10. as it was afterward commanded in *Lev.* 1. 17.—Of clean and unclean Beaſts, *Gen.* 7. 2.—and of not eating the Blood, *Gen.* 9. 4.—Of Purifyings, Cleanſings, changing their Garments, *&c. Gen.* 35. 2.——Of Tythes paid to the Prieſt, *Gen.* 14. 20.—Of making Vows, *Gen.* 28. 20.—Of not matching with Unbelievers, *Gen.* 6. 2 comp. 1.—Of the Brother's raiſing of Seed to his Brother, *Gen.* 38. 8. comp. *Deut.* 25. 5. Thus then from the beginning God had a Church, had Preachers and Prieſts, and certain Rules of his due Worſhip.

2. In theſe times it ſeems, that the People for matter of Religion and God's Worſhip, were caſt wholly upon the Inſtructions and Doctrines, Traditions and Dictates, of their Guides for knowing their duty, without any Written Records or Law of Natural Reaſon (which theſe things tranſcended) to examine theſe by: and ſuppoſing that there ſhould have happen'd to have been, concerning any particular, two contrary Traditions amongſt theſe Teachers, in all reaſon they ought to have follow'd the former and more univerſal. Here alſo we may preſume, that theſe Fathers of the Church were then ſufficiently aſſiſted by God to deliver always to the People all truths neceſſary to their Salvation, ſince they had no other Director to repair to.

§. 6. 2. To let theſe obſcurer times paſs, and to come to thoſe under the Law Written, (which was in all things a more expreſs type of the Goſpel). Tho this Law ſeems much more punctually and methodically committed to Writing, as to the Rule thereof, than the Goſpel is, yet there was a Judg, and certain Courts appointed for the Expoſition thereof in difficult matters.

Which

Which Office at firſt we find *Moſes*, who alſo had continual recourſe to God in his Doubts, to have executed for ſome time both for Religious and for Civil cauſes, alone; *To whom* (ſaith the Text *Exod.* 18. 16.) *the people, when they had a matter, came, and he made them know the Statutes of God and his Laws.*—Afterward to eaſe him of this great burthen, eſpecially as to ordinary Civil matters, we find by *Jethro*'s advice (but alſo God's approbation) other able men choſen out of the people, and ſet over Tens, Fifties, Hundreds, and Thouſands, to decide the eaſier matters, but to bring the harder ſtill to *Moſes*, *Exod.* 18. 13, *&c.* And he ſtill alone to be for the People to Godward, to bring the cauſes unto God, teach them Ordinances, and ſhew them the Work that they muſt do, *Exod.* 18. 19, 20.—Afterward yet more to eaſe him in theſe more difficult matters, we find, by God's appointment, Seventy Elders choſen out of the former Officers and Judges, more immediately to aſſiſt him; which Seventy Elders, to enable them for this higher employment, had part of *Moſes* his Spirit taken and put upon them; which Spirit at the firſt ſhew'd wonderful effects in them, and magnified them before the People; as Chriſt (the Prophet whom *Moſes* reſembled, *Deut.* 18. 15.) his Spirit alſo did at firſt, when it was deriv'd on the chief Evangelical Judges and Magiſtrates (*Act.* 2.) See *Numb.* 11. 14, 16, *&c.*

§. 7. Thus it was order'd in the Wilderneſs. Again, when the People ſhould come to the Land of Reſt, here we find beſides the Inferior Judges diſtributed in the Country (*Deut.* 16. 18.) by God's command, a ſtanding Court eſtabliſhed in that City, where God ſetled his Sanctuary and Preſence (that they alſo might there conſult him in their difficulties) eſtabliſhed, I ſay, for the

the Expoſition of the Law in all matters too hard for the other, and we find all perſons oblig'd under pain of Death to ſtand to their Deciſions. See for this, *Deut.* 17, 8, *&c.*—*If there ariſe a matter too hard for thee* [*i. e.* the inferior Country-Judges, *Deuter.* 16. 18.] *in judgment between Blood and Blood, between Plea and Plea, or between ſtroke and ſtroke* [or Leper and Leper: what in theſe was permitted or prohibited, excuſable or puniſhable, or in what manner puniſhable according to the Letter of the Law] *being matters of Controverſie within thy Gates* [or as the Vulgar, *& Judicum intra portas tuas videris verba variari*] *thou ſhalt then ariſe, and get thee up unto the place which the Lord thy God ſhall chuſe; And thou ſhalt come unto the Prieſts, the Levites, and unto the Judg* [that chief Secular Magiſtrate or his Subſtitute, becauſe the matters brought before this Court were ſometimes relating to God's, ſometimes to the King's Laws; Cauſes, ſome Eccleſiaſtical, ſome Civil] *that ſhall be in thoſe days, and they ſhall ſhew thee the ſentence of Judgment. And thou ſhalt do according to the ſentence which they of that place ſhall ſhew thee,—according to all that they inform thee. According to the ſentence of the Law which they ſhall teach thee, thou ſhalt do,* [or as the Vulgar, *Quodcunque docuerint te juxta legem ejus facies*], *Thou ſhalt not decline, from the ſentence which they ſhall ſhew thee, to the right hand, or to the left. And the man that will do preſumptuouſly, and will not hearken unto the Prieſt that ſtandeth to Miniſter there before the Lord, or to the Judg* [as his Cauſe is Eccleſiaſtical or Civil] *even that man ſhall dy. And all the people ſhall hear and fear, and do no more preſumptuouſly.* Thus *Deuteronomy.* Again in 2 *Chron.* 19. 5, 8, 10, 11. where *Jehoſhaphat* in his Reformation, amongſt many other, reduc'd this Law into practice; the ſame thing is expreſs'd in theſe terms,

Firſt,

First, v. 5. *And he set Judges in the Land through-out all the fenced Cities of Judah*, &c. answerable to *Deut.* 16. 18. and then v. 8. *Moreover in Jerusalem* [the place the Lord had chosen] *did Jehoshaphat set the Levites* [for under Officers, *and of the Priests, and of the chief of the Fathers of Israel*, v. 11.] *for the judgment of the Lord, and for controversies. And he charg'd them saying, what cause soever shall come unto you of your Brethren that dwell in their Cities between Blood and Blood, between Law and Commandment, Statutes and Judgments: ye shall even warn them, that they trespass not against the Lord*, &c. *And behold, Amasiah the chief Priest is over you in all matters of the Lord*, [concerning his Law and Religion], *and Zebadiah the Ruler of the House of Judah, for all the Kings matters* [concerning the King's Law and Civil Subjection]. *Also the Levites shall be Officers before you, &c.* See 1 *Chron.* 23. 4.—26. 29, 30.

§ 8. In these two places you may note; That it is not, or, not only, concerning *matter of fact*, as some would have it, that when *doubt* arose at the Country Sessions, they were to repair to this Court at *Jerusalem*, which fact was most easie and most fit to be judged upon the place; But concerning *matter of Law or Statute*, when question arose about that, *between Plea and Plea, Law and Commandment, statutes and judgments*, saith the Text, (see *Diodate's* Comment in *Deut.* 17. 8.)—*and according to the sentence of the Law which they shall teach thee, &c.*— Again, it is not for matter of Law in such a sense as some would have it; namely, that the Litigant was to be put to death, if he obey'd not the sentence of the Judg, *whensoever he judg'd right, and according to the Law of God.* But that he judging otherwise, he was not tied to obey him, *nor might be put to death for disobedience in such case.* For so Bishop *Andrews* (*Tort. Torti*) answers *Bellarmin*, urging

urging this place; *Quali Sacerdotis imperio obediendum? Ita præcedentia verba habent, imperio Sacerdotis juxta legem Dei docentis. Tum sequeris sententiam ejus; tum si superbierit* &c. But who is it that shall judge when this Supreme Court, appealed to, judgeth *juxta legem Dei*, when not? Surely it must be the litigant, or no body, unless there can be a Super-supreme Court. But then how absurd this? for so, whenever the Litigant judgeth the Judge to have judged not according to this law, he is free from obeying his sentence, and consequently from punishment for any disobedience thereof, unless the Judge can by God's law punish him, for doing only what God's law permits him. Therefore, *Quodcunque docuerint te juxta legem Dei*, in the Vulgar, which the Bishop here is pleased to make use of, meaneth only this; *Quodcunque docuerint te esse juxta legem Dei*, these being the supreme expositors of the Law to the people, as is clear from the Hebrew rendred thus; *Super os legis quam docebunt te, & super judicium quod dicent tibi, facies*; and from the Septuagint, *Secundum legem & secundum judicium quodcunque dixerint tibi*; and the Syriack, *Secundum præscriptionem legis quam tibi indicabunt*; and the other famous Translations; and also from the English, *according to the sentence of the Law, which* [*sentence*] *they shall teach thee*: and clear also from the context, requiring also most strict and absolute obedience. *Thou shalt not decline from the sentence which they shall shew thee to the right hand, nor to the left. He that will not hearken to the Priest, that man shall dy.*

§. 9. Again, it is not only in a case of suffering, and patiently submitting to a punishment which this Court shall inflict, as some would have it, (see *Chillingworth* c. 5. § 109, 110.) but also of doing what it shall direct. For the words

words are plain, *Deut.* 17.9. *Thou ſhalt obſerve to do all that they ſhall inform thee, not turning to any hand:* and 2 *Chron.* 19.10. it is ſaid to the Judges, *Ye ſhall warn them that they treſpaſs not againſt the Lord,* which cannot be meant of puniſhments, but in breaking his laws. Again, it is not meant of doing neither what this Court ſhall direct, that is in ſuch things, wherein meanwhile we are not bound to think alſo their determination lawful, and their ſentence juſt. As one may lawfully pay a mulct of an 100l. wherein he is condemned by the Court, without thinking their ſentence lawful; becauſe any one, when wrong is done him, may *cedere ſuo jure,* without ſinning therein. Thus Mr. *Chillingworth* would avoid this place urged by Mr. *Knot*; and in his inſtance indeed no more is required than he affirms; but it ſeemeth alſo an obligation to think ſuch determination and ſentence juſt and lawful: as in all thoſe inſtances may be made appear, where the party is enjoined by this Court to perform ſome neglected duty to God, or his Neighbour, and not only ſentenced to undergo ſome puniſhment; as certainly all the decrees and determinations of that Court were not only about paſſive obedience, ſatisfactions, and puniſhments, but active too, duties, and ſervice. Now this is certain, that none may do any thing which he doth not firſt think is lawful to be done, or at leaſt which, he doth not go ſo far, as to think that it is unlawful to be done: for, *Conſcientia erronea obligat.* Aud next, he cannot think ſuch thing lawful to be done, ſo long as he thinketh that God hath forbidden it, or commanded the contrary of it to be done. Therefore as long as he thinketh that he may lawfully do it, ſo long he thinks, or at leaſt is not certain, but that it is agreeable to God's command; and ſo long he thinks, or is not certain of, the contrary,

but that the determination of this court is right, and juſt. But here if any one would ſay; That one may think a thing lawful to be done by him, becauſe it is commanded him by thoſe Superiors, whom God hath charged him in all things to obey, whilſt meanwhile he believeth God to have commanded the contrary, and that hence only he thinketh it lawful for him to do it; not becauſe God hath commanded it, or hath not commanded the contrary, but becauſe God hath commanded him to obey his Superiors, tho erring and decreeing a thing ſometimes contrary to God's command. Let it be ſo: This ſufficeth our purpoſe, ſo that conſtant obedience be allowed to theſe Judges, and that what they command we ought to do, not only in matters of Penalty, but of Duty. Thus Schiſm is excluded, thus Peace is preſerved perpetually in God's Church.

§. 10. To make things a little plainer by an inſtance. Suppoſe that a controverſy aroſe between a bounden Servant and his Maſter; whether he were to obey his Maſters commands in watering his cattel on the Sabbath day, the ſervant arguing from *Exod.* 20,10. [*in it thou ſhalt do no manner of work,*] that this is by God prohibited. The matter upon this is brought before theſe Judges, and decided for the maſter: here the ſervant is bound to water the cattle of his maſter, and therefore bound to think it not unlawful to do, ſince none may do what they think unlawful: and if he think it not unlawful to do ſo, he muſt either now change his former opinion, and think God's law not to have prohibited it; or at leaſt God to have bound him by another law to do ſome thing ſometimes, he thinks, but is not certain, that God's law prohibits, namely, ſo often as theſe Judges, who are appointed God's ſubſtitutes

to

to expound his law, do miſ-intepret it. For in the judgment alſo of Proteſtants, God hath upon ſome ſuppoſitions, obliged us to believe, and give aſſent to the determinations and injunctions of an erring Guide; namely, of our Spiritual Governours, in matters Theological, where ever we our ſelves doubt of the truth, and have no certain evidence of the contrary to what they enjoin us: yet in which injunctions they do grant theſe Governours both may, and do ſometimes err. So likewiſe an erroneous conſcience is granted to oblige us, and that from the Divine command, who hath made it ſin to do otherwiſe, which conſcience alſo ſometimes errs faultleſly, *i. e.* out of an invincible ignorance. Take therefore of the two former ways which you will, the duty of the ſervant rectifying his opinion, or of obeying the Judge, and acting contrary to his opinion, (where note, that in ſuch obeying he ſtill follows his conſcience, for he obeys here, becauſe he firſt thinks that he ought to obey,) Obedience is the product; but Obedience in the former notion is an act of more humility and charity.

Having ſaid this to explain the quality of the obe- §. 11.
dience required in this place, I will ſet you down what Mr. *Hooker* hath commented upon it, (in his Preface ſect. 6.) writing againſt Puritans, and ſo ſpeaking much of ſubordination of private opinion to the determination of Eccleſiaſtical authority. "God (ſaith 'he) was not ignorant that the Prieſts and Judges, '(whoſe ſentence in matters of controverſy he ordained 'ſhould ſtand) both might, and oftentimes would be de-'ceived in their judgments; howbeit better it was in the 'eye of his underſtanding that ſometimes an erroneous 'ſentence definitive ſhould prevail, till the ſame au-

thority

'thority perceiving such oversight, might afterwards cor-
'rect or reverse it, than that strifes should have respit
'to grow, and not come speedily unto some end. [Then
'answering the Objection of doing nothing against Con-
science] 'Neither wish we (saith he) that men should
'do any thing which in their hearts they are perswaded
'they ought not not to do; but we say, this perswasion
'ought to be fully setled in their hearts, that in litigi-
'ous and controverted causes of such quality [here
what exceptions Mr. *Hooker* makes matters not, for the
Text makes none] 'the Will of God is to have them
'to do whatsoever the sentence of Judicial and Final
'Decisions shall determine: yea tho it seems in their
'private Opinion to swerve utterly from that which is
'right, as no doubt many times the sentence among
'the *Jews* did unto one or other party contending: and
'yet in this case God did then allow them to do that
'which in their private judgment it seemed, yea and
'perhaps truly seemed, that the Law did disallow. Thus
Mr. *Hooker*. Whose last words seem to me to say, either
that we are to submit our private opinion or judgment,
(*i. e.* those reasons that we have from the thing to
think the contrary) to the judgment of this Court,
i. e. to another reason which we have drawn from Au-
thority. Of which is spoken largely elsewhere, in *Ob-
ligation of Judgment*, § 2, *&c.*—Or else, that retaining
still our private Opinion, yet we ought to practice con-
trary to what it dictates, by reason of God's command-
ing us absolute Obedience to this Court. Which, tho
it doth err sometimes, perhaps in matters less necessary,
yet much oft'ner should we err, if not thus restrain'd
and subjected to it.—And of two evils, or human infir-
mities, the lesser is to be chosen. Therefore also in Se-
cular affairs the Soldier is punished when he doth that
which

which is better, if he doth this against his General's Command; because indeed by such a liberty indulg'd, how much oft'ner would he do that which is worse?

To this place of *Deuteronomy* (upon which you will excuse my long stay, for the freeing it from several faulty restrictions) may be added many more Texts of the Old Testament to the same purpose. See *Ezech.* 44. 24. where the Prophet in the end of his Prophecy describing (typically under the ancient Ceremonies) the restauration and flourishing condition of God's Church, at last amongst other recites this Law, *Deut.* 17. *In controversie they* [the Priests] *shall stand in judgment; and they shall judg it according to my judgments.* See *Hag.* 2. 11.—*Thus saith the Lord of Hosts: Ask now the Priests, saying; If one bear &c.* According to which command the Prophet consulted them, and receiv'd an answer from them, *ver.* 12, 13. See *Mal.* 2. 7. where chiding the Priests, causing many to fall in the Law, the Lord saith,—*The Priests lips shall keep knowledg, and they* [the People] *shall seek the Law at his mouth. For he is the Angel of the Lord of Hosts;* [If he therefore err, no remedy but the People must fall.] See *Deut.* 33. 9, 10. comp. *Eccl.* 45. 17. And see *Hos.* 4. 4. where when God would express the extream perverseness and obstinacy of his people, he compares them to those that contend with [and shew disobedience to] their Priest. Likewise the Priest's putting difference between holy and unholy, clean and unclean, and accordingly admitting men to, or separating them from the Congregation; and in the readmission of these, exercising the Ceremonies of their Cleansings, (for which see *Lev.* 10. 10, 11. *Ezech.* 44. 23.—*Lev. ch.* 13. & 14.) are only Metaphors of the Church's Authority in Judging *what is*, and *what* §. 12.

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is not, ſin and treſpaſs againſt God's Law; in Excommunicating thoſe who continue in ſin; and in Reconciling thoſe who are penitent. And the Obſervation of the Evangeliſt, *Joh.* 11. 49, *&c.* (upon *Caiaphas* his ſaying, *It was expedient, &c.*) that *he ſpake not this of himſelf, but being High-Prieſt that year, prophecied*; argues ſome ſpecial aſſiſtance of God attending this chief Judg of the People.

§ 13. After theſe, very conſiderable is that Injunction of our Saviour, concerning Obedience even to the *Scribes* and *Phariſees*, becauſe thoſe, who for the preſent *ſate in Moſes his Chair*, which Chair was yet to ſtand a little while longer (till himſelf had accompliſh'd his Sufferings, till the *Conſummatum eſt*, on the Croſs, and the Nailing of the Old Law thereto, *Joh.* 19. 30. *Col.* 2. 14. After which, at the next Pentecoſt was ſet up a new Miniſtry of the Goſpel (*Act.* 2.) and a new *Sanedrim*, or ſupreme Court for deciding of Eccleſiaſtical Controverſies, *Act.* 15.) Therefore our Saviour both enjoin'd to others, *Mat.* 8. 4. and moſt punctually obſerv'd himſelf the *Moſaical* Law, all his days keeping the Ceremonies New and Old, *Luk.* 2. 21. *Mat.* 3. 15. *Gal.* 4. 4. Going at the ſolemn Feaſts to *Jeruſalem*, frequenting the Synagogues in the Country; neither could any juſtly accuſe him of the breach of the leaſt tittle thereof, *Joh.* 8. 46. And in this Chair yet ſtanding, the Phariſees are ſaid to ſit, becauſe ſeveral of the Prieſts or Levites, and Members of the *Sanedrim*, or chief Eccleſiaſtical Court of the Jews, ſee *Joh.* 12, 42, 43. and alſo of the Doctors and Expoſitors of the Law to the People in their Synagogues, were of this Sect; and their Doctrines, it ſeems by *Mat.* 23. 4. were very ſtrict and rigorous, and much otherwiſe than their Lives; ſtrict, not only for I know not what Traditions

of

of the Elders, which they themſelves very ſcrupulouſly obſerv'd; but for ſome, at leaſt of the more ſolid points of the Law, which they themſelves hypocritally neglected. For our Saviour ſignifies there, that out of this Chair they ſaid much that they did not, and that they laid heavy burthens on other men's ſhoulders, which themſelves would not move with one of their fingers. In the very front of that Sermon therefore (ſee *Mat.*23.) wherein our Lord moſt vehemently reprehendeth their impious lives, as if he were afraid, that from his taxing their evil Converſation men ſhould reject their Authority and Injunctions, he premiſeth theſe words, agreeable to thoſe formerly mention'd *Deut.*17.8, *&c.*–*Mat.*23. 2,3. *The Scribes and the Phariſees ſit in Moſes ſeat. All therefore whatſoever they bid you obſerve, that obſerve and do: but do not ye after their Works. For they ſay, and do not.* Which place to interpret ſo as ſome do, All whatſoever that is conformable, or not contrary to the Law of *Moſes, i. e.* All that he who hears them thinks conformable, or not contrary, *&c.* ſeemeth unreaſonable, as hath been ſhewed before, p. 8. on *Deut.* 17.–To which I will only here add what *Bellarmin* (*De Verbo Dei, l.* 3. *c.*4.) ſaith on that place, as applicable to this,—*Non voluit* [*Moſes*] *dicere; ſta judicio Sacerdotis, ſi docuerit te ſecundum legem. Tunc enim fuiſſent homines magis dubii & perplexi, quam antea. Nec opus fuiſſet ire ad Sacerdotem, ſi ipſi potuiſſent ex lege Domini per ſe judicare cauſam ſuam. Immo tunc non Sacerdos fuiſſet Judex, ſed ipſi; quippe qui de ſententia Sacerdotis judicaturi erant.*

Yet on the other ſide; ſince that now the *Meſſias*, a Law-giving Prophet like *Moſes*, of whom he gave a ſpecial charge in his Law, *Deut.*18.15. that whenever he came *all ſhould hear him*; was now come into the world; §. 14.

come with such evident testimonies, as that all not wilfully blind must needs know him; come with such Miracles, with the Testimony of the *Baptist*, who was generally acknowledg'd a Divine Prophet; with the Testimony of God himself from Heaven, reiterating *Moses* his words, *hear ye him*, *Mat.* 3. 17.–17. 5. All which our Saviour frequently urgeth, to beget in the people faith and adherence to him, as their supreme Doctor and Guide. See especially *Joh.* 5. from *ver.* 31, to the end. Something I must confess, is here alter'd from the case in *Deuteronomy*. Neither is the Obedience and Submission to the Doctrines of those in *Moses* his Chair here to be so far extended, as if this *Messias* advanc'd the *Sanedrim's* Authority above, or equall'd it to his Own; or, as if he enjoin'd Obedience to these Chair-men in any thing wherein they contradicted or oppos'd him; or so restrain'd men now to their sentence, that in their doubts they might not repair from this formerly Supreme Court, now to Him, who was the Light of the World, and Truth it self. But only is to be extended thus far (which serves our turn) that he would tye the People's Duty and Obedience always to their Spiritual Guides and Superiors: In the first place to Himself, the perpetually Supreme Head of the Church, see *Joh.* 18. 37.–*Mat.* 7. 24. and those whom he sent; as likewise to the *Baptist*, the Messenger before the Messias, as evidently sent by God. [For we must know, that all extraordinary Missions manifestly from God, as those of the Prophets, oblig'd both Priest and People to Obedience in what they said. As *Abraham* stood oblig'd by such a Message from God to Sacrifice his Son. And the People were reprehended by God for not hark'ning to his Prophets, whatever the Priests said to them to the contrary; the Mission always being suppos'd manifest.] In the

next place to the Succeſſors of *Moſes*, ſo long as they were to continue in their Office, *i. e.* till the *Conſummatum eſt* on the Croſs, or deſcent of the Holy Ghoſt on our Lords new Miſſioner's, the Apoſtles) in all things, wherein he taught them not the contrary: All this in contradiſtinction to following their own Guidance and private Judgment againſt the Dictates of their Superiors and Doctors, eſpecially when they ſaw their Lives ſcandalous. And for the better preſerving of which Duty to theſe Superiors, it is obſerv'd, that our Saviour never ſaid any thing againſt the Prieſts *eo nomine*, leſt he ſhould ſo have ſeem'd to vilifie the Prieſthood. *Dominus* (ſaid St. *Cyprian* long ago, *Epiſt.* 69. on *Joh.* 18. 22.) *cuſtodiens & docens Sacerdotalem honorem ſervari oportere, contra Pontificem nihil dixit.* To this place of St. *Matthew* commanding Obedience to thoſe in *Moſes* his Seat, may be added our Saviour's Vindication of the *Jewiſh* Church againſt the *Samaritan*, *Joh.* 4. 22. ſaying, *That the Samaritans worſhipped they knew not what*; and *that ſalvation was of the Jews*; the meaning of which muſt at leaſt extend thus far, That the true way of Salvation was taught by the *Jewiſh* Doctors. And that ſaying of his, *Mat.* 11. 13. and *Luk.* 16. 16. that *the Law and the Prophets propheſied until John.* And that anſwer in the Parable, *Luk.* 16. 29. *they have Moſes and the Prophets, let them hear them.* See likewiſe *Rom.* 9. 4. Which places, if they intimate thus much, that the Doctors and publick Expoſitors of this Law taught to the people ſo much truth as was neceſſary to their Salvation till the coming of the Baptiſt, and of our Saviour; I preſs them not ſo far, as that theſe taught no Errors. And if they taught not the former Truths, judg what a caſe the People were in, who had no Copy of the Law themſelves, and alſo had ſuch an In-

junction in *Deut.* 17. 18. upon pain of death for their preſumption, *v.* 12,13. to obey theſe Law-expounders.

§ 15. But againſt what hath been ſaid are urged ſeveral things conſiderable. α Firſt here is urged our Saviour's manifeſtly declaring elſewhere, not only againſt the lives, but doctrines of the Phariſees, and warning the people, or at leaſt his diſciples, to be aware of theſe doctrines: ſee *Matt.* 16.6. compared with 12. β declaring, that they *tranſgreſſed the commandements of God by their Tradition*, and that *in vain they worſhipped God, teaching for doctrines the commandements of men.* Matt. 15. 3.9. γ Again, that they *ſhut up the Kingdom of Heaven againſt men*; or, as S. *Luke* hath it, (*c.*11.*v.*52.) that they had *taken away the key of knowledg, neither going in themſelves, nor ſuffering thoſe that were entering, to go in.* Matt. 23. 13. δ That thoſe whom they made Proſelites, they made them *twofold more the chlldren of hell than themſelves.* Matt. 23. 15. ε And that they were *blind leaders of the blind*, and that *if the blind lead the blind both ſhall fall into the ditch.* Matt 15. 14. ζ And what dangerous blind leaders they were, we ſee, when as they taught the people thar *Jeſus was not the Meſſias*, and excommunicated his followers, (*Jo.*9. 34,) and at laſt this higheſt Spiritual Court, or Eccleſiaſtical Synod, condemned this Saviour of the world to death, for a *Seducer*, a *Blaſphemer*, a *deſtroyer of the Law*, and ſo alſo his Apoſtles after him. η To which may be added *Eſai.* 8. 20. where the Prophet directs the people immediately to the Law and Teſtimony. *–To the Law, and to the Teſtimony*: If they *ſpeak not according to this word, it is, becauſe there is no light in them.* All which ſeems inconſiſtible with *Mat.*23.2. as it is interpreted.

I an-

I anſwer, No. 1. Becauſe, tho it cannot be denied, §. 16.
that ſome doctrine or doctrines of the Phariſees there were, that were damnable and deſtructive of ſalvation, (ſuch was that wherein they taught the people contrary to the evidence of the Law, (*Jo.* 5.39,45. *&c.*) that Jeſus was not the Meſſias,) yet our Saviour, and the Baptiſt, and the twelve Diſciples ſent abroad, in theſe taught the people contrary to them, whom (as we have ſaid before) the people were bound to believe, and not them; becauſe now the Meſſias, not the Sanedrim was the Supreme Judge, (upon which the Cardinal, no enemy to the High Prieſts Supremacy, is facile to grant, that; *Non fuit neceſſarium ut Pontifices Judæorum non poſſent errare, quando Chriſtus ſummus totius Eccleſiæ Pontifex præſens aderat, & Eccleſiam per ſe adminiſtrabat,*) which High Prieſt, to guard the people from this pernicious Phariſee-doctrine, ſent forth not only twelve at one time, but ſeventy Diſciples at another, and both with miracles, to publiſh in all the coaſts of Iſrael the coming and the Kingdom of the Meſſias, that none might plead ignorance of his coming, or be miſled in theſe things by their former Maſters, denouncing the greateſt woes to them who ſhould reject Him or His. *Matt.* 10. 14, 15. —11. 21.

2. Becauſe tho other doctrines of theſe Phariſees there §. 17.
were, that were erroneous, as ſeveral miſ-interpretations of the Law, and the preferring alſo the obſervance of ſeveral Traditions of their own before ſome greater things of the Law, (yet ſo, as they taught the obſervance of both:) which doctrines alſo, I know not how far they might be damnable to themſelves, who had light enough to have known the contrary, had not corrupt affections, ambition, covetouſneſs, hypocriſy, *&c.* blinded

blinded their judgment; yet theſe errors of theirs were not damnable, *i.e.* ſuch as would bring damnation to all thoſe others who ſubmitted to them, becauſe that inculpable ignorance in people that neither had, nor were able to ſtudy the law themſelves, and their obedience yeilded in theſe things to none but their appointed Guides and Superiors, excuſed ſo many of them at leaſt, as never had the opportunity from our Saviour, or his Miſſions to learn the contrary.

Some of thoſe particular Doctrines of the Phariſees in this kind, which we find our Saviour to have taxed, are theſe. Their tenet, *Mark c. 7. v. 3.* that eating with *unwaſhen hands*, or in an *unwaſhen diſh*, or on an *unwaſhed Table*, &c. which perhaps ſome unclean perſon or thing had uſed or touched, defileth a man, and their more ſcrupulouſly obſerving this (and by their example inducing others to it) than the much weightier matters of God's law: ſee *Matt. 23. 23. Mark 7. 21.* —That no work (tho an act of mercy) among the reſt, (ſome ſay) no medicinal cure (except ſome things that ſeemed more neceſſary, perhaps becauſe of their profit, the watering or the ſaving the life of their Beaſt, *Luk. 13. 15. —14. 15.*) might be done on the Sabboth day. —That one who had vowed his goods or ſuperneceſſaries to God, or to the Treaſures of the Temple, (tho perhaps doing this on ſet purpoſe,) was upon this free from relieving his indigent parents therewith, (the Phariſees, many of whom were Prieſts, perhaps eying alſo herein their own profit;) or, as others, one who had made a ſolemn oath, upon ſome offence taken, never to relieve his Parents, was obliged to keep ſuch oath: (ſee *Matt. 15. 3.*) —That in an aſſertory Oath the voluntary ſwearing of ſome Truth by ſome things more remotely ſacred, as by the Temple, or Altar, was not faulty, or

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in promiſſory Oaths, was not obligatory, but the ſwearing by things of a higher ſanctity, and more nearly conſecrated to Him, as they conceived the Golden-inſide of the Temple, and the Sacrifice offered to God on the Altar to be, this rendeed men accountable. See *Matt.* 23.16. *&c.* compared with *Matt.* 5.33. &c. —Such as theſe, I ſay, were the Phariſees erroneous Doctrines. But provided, that a ſubject of the Church was taught by the ſame Doctors all other neceſſary points of God's law, and walked in them with ſincerity, tho in theſe he were deceived, or alſo in his actions preferred ſome of theſe before greater duties, yet not ſo far as (by the Phariſees wicked example) to omit thoſe greater duties; I doubt not but that ſuch a diſciple of theirs, upon a general repentance for all unknown ſins, might attain Salvation.

3. Concerning theſe particular errors which our Saviour reprehended, we know not whether ſeveral of them were not the Tenents only of ſome of the violenter and worſer, but a ſmaller part of that Sect, and not of the whole chair of *Moſes*. In which chair ſome ſate who were not Phariſees, and ſome Phariſees alſo were good men and believers in Chriſt: *Jo.* 12. 42. amongſt whom were *Nicodemus*, and *Joſeph* of *Arimathea*, (ſee *Jo.* 3.1. *Mark* 15 43. who, with ſome others, how far in ſeveral matters they might moderate and rectify the publick Deciſions and Doctrines, we know not. This replied in general; now to anſwer the texts in particular. §. 18.

To *a*. Great cauſe to beware *&c* ſome doctrines deſtroying ſalvation, others ſome way vitiating their practice. But this warineſs to be exerciſed, not by following §. 19. To *a*.

lowing their own judgments, and deſerting that of their Churchmen, but by leaving the ſubordinate, where they diſcover'd any contradiction, and adhering to their ſupreme Judg, I mean the Meſſias. After the Miſſion of whom, and not before, God's Providence permitted this formerly chief Eccleſiaſtical Court to err ſo criminally as to the fundamental point of the Meſſias. However, then they were ſtill to obey theſe Doctors of *Moſes* his Chair, in all their other Doctrines whatever, yet in any ſuch wherein this new Law-giver, or Expoſitor, who came with Miracles, controll'd them, and taught the contrary, they were now to beware of them, and follow him.

§. 20. To β. In obſerving the Traditions, ſuch as above-
To β. mention'd, tho others were excus'd by inculpable ignorance, yet the *Phariſees* condition, who were in theſe things faultily blind, and miſguided the others, might be very deplorable, and their wickedneſs herein render their other ſervice of God vain, and unacceptable.

To γ. To γ. In that damning Doctrine of their's, oppoſing Chriſt and his Kingdom, the Followers of theſe Doctors are granted to miſs of Heaven, as well as the Leaders. For they had another ſuperior Leader, whom they ought to have follow'd.

To δ. To δ. They made them ſuch by their wicked example, the following of which is excepted by our Saviour, *Mat.* 2. 2, 3. Or by their foremention'd Doctrine, contradicted by their ſupreme Teacher.

To ε. To ε. Some things there are, wherein if they err, both the Leaders and Followers are wilfully blind; here both fall into the Ditch, not only of error, but of perdition. Such were the followers of the *Phariſees* in their oppoſing of the Meſſias; or alſo thoſe who brutiſhly ima-

imagin'd (if any did ſo) the *Phariſees* Doings as well as their Doctrines ſafe; and that ſo much Righteouſneſs only was neceſſary or requir'd, not as the *Phariſees* taught, but as they perform'd. Of ſuch error or blindneſs the People had ſufficient Remedy provided in the Inſtructions receiv'd from our Lord. Again, ſome things there are wherein the Followers may be unculpably, and yet the Leaders are wilfully blind; here both may be ſaid to fall into the ſame Ditch, *i.e.* of error, but not of perdition; but for this later the Followers are ſafe; (of which inculpable blindneſs our Saviour ſeems to ſpeak to the *Phariſees*, *Joh.* 9. 41. *If ye were blind ye ſhould have no ſin, &c.*) ſuch I conceive to be ſome of thoſe errors above mention'd, p. 21.

To ζ, ſee what is ſaid to *a*. To *r*. The place is urged here, as if recourſe ought to be made by the People to the Law and Teſtimony it ſelf, in oppoſition to the Prieſts and Expoſitors thereof, when they expound (*i.e.* ſeem to the People to expound) it not aright. But, it is only ſaid here, that recourſe ought to be made to the Law, *&c.* in oppoſition to the People's repairing to the Heatheniſh wizards, *Pythoniſts*, & *Ventri-loquiſts*, *&c.* *Iſa.* 8. 20. that alſo worſhipp'd other Gods, as appears by the verſe precedent, [*When they ſhall ſay unto you, ſeek unto them that have familiar Spirits and Wizards* [or Conjurers that peep and that mutter] *ſhould not a people ſeek* [rather] *unto their God* [conſult his Oracle (which ſome think is meant by Teſtimony here) and his Prophets then] *for the living* [to go] *to the dead* [Negromancers, or Idols, or the Spirits of the Dead]. Thus *v.* 19. and then it follows, *to the Law and to the Teſtimony; If they ſpeak not according to this Word, &c.* They, that is, the Diviners, the Pythoniſts, *&c.* mention'd before

§ 21. To *r*.

fore (who profeſs'd another Law, and other God than the God of *Iſrael*, ſee *ver.* 21.) not the Prieſts of the Lord; at whoſe mouth *the people were to ſeek the Law*, *Mal.*2.7. and ſtand to their Expoſitions of it, *Deut.* 17.8. Thus much in anſwer to this main Objection touching the errors of the *Phariſees*, and of the *Sanedrim*; where you ſee we are neither reduc'd to this extremity, which ſome fall into, to ſay, That God having appointed to the People Teachers for Expoſition of the Law, whoſe directions they ſhould follow (as is ſhew'd before upon *Deut.* 17. 8.) had left alſo power to the People to Judg of theſe their Teachers, when it was that they taught them according to the true ſenſe of the Law, when contrary; which ſeems very abſurd. Nor on the other, into this extremity, to ſay, that God commanding the people to obey their Guides, had provided them, at leaſt in ſome times, none but blind ones, whom therefore they obeying muſt with them fall into the Ditch and periſh; not obeying, muſt tranſgreſs Gods command, which ſeems very impious.

§. 22. Thus much from (p. 5.) concerning what is urg'd of the erring and failing of the Jewiſh Prieſthood in our Saviour's time. But

2. For the erring alſo, and falling away of the Jewiſh Clergy, before the coming of the Meſſias, (ſo that the Judgment and Sentence, at leaſt of the major part of them, could not be ſafely ſubmitted to by the people) there are urg'd both many expreſſions out of the Prophets, and ſeveral inſtances in the Old Teſtament ſtory.

a. 1. *a.* Many places in the Prophets are quoted to this purpoſe. As *Iſa.* 56.10. that *the Watchmen were blinded*, that *they were all ignorant*, *&c.* *Jer.* 6.13. that

that *from the Prophet even to the Prieſt every one dealt falſly*, and *healed the wound of the people ſlightly*. *Jer.* 2. 26, 27. —23. 11, *&c.* *Ezech.* 22. 26. *Mal.* 2. 8. *Zeph.* 3. 4. That *the Prieſt had done violence to the Law*; had *cauſed many to ſtumble at the Law, and had corrupted the Covenant of Levi.* Likewiſe *Ezek.* 7. 22, 26. 'tis foretold, that in the approaching Captivity *the Law ſhould periſh from the Prieſt, and Counſel from the Ancients*; that *God would turn away his face, and ſtrangers ſhould pollute his ſecret place.* And 2 *Chron.* 15. 3.

β. It is affirm'd, that for a long ſeaſon *Iſreal was without the true God*, and *without a teaching Prieſt*, and *without Law.* And « 2 *Chron.* 36. 14. that *all the chief of the Prieſts and of the people tranſgreſſed very much after all the abominations of the Heathen.* See likewiſe the Prediction *Hoſ.* 3. 4. See alſo *Jer.* 26. 11. The Prieſts and Prophets eſpecially perſecuting *Jeremiah* (in this a great Type of our Saviour), and in this perſecution urging (but miſtaken in it), that *the Law ſhould not periſh from the Prieſt, &c.* Add to theſe, *Ezech.* 44. 10, 12, 13. where it is order'd, when God's true Worſhip ſhould be reſtor'd, that the *Prieſts that miniſtred before the Idols, ſhould not afterwards come near the holy things*; and 2 *King.* 23. 9. that *the Prieſts who had offer'd in the high Places ſhould not approach God's Altar at Jeruſalem*; ſeveral inſtances likewiſe are produc'd out of the ſtory. —γ. *Aaron's* making the Golden Calf, and the people's worſhipping it.—δ. *Uriah* the Prieſt's building an Altar like to that at *Damaſcus* at the King's command, and Offering upon it, 2 *Kin.* 16. 11, 16.— ε. *Ahab's* four hundred falſe Prophets to one true, 2 *Kin.* 22. 6. and *Elijah's* complaint, 1 *Kin.* 19. 10.— ζ. The Prieſt's Offering Sacrifice in the High Places, where was neither the Tabernacle of *Moſes*, nor the Ark, nor the Temple,

contrary to God's expreſs command in the Law, and that upon pain of death, (ſee *Lev.* 17.4,9. *Deut*, 12,13.) and this cuſtom uſed for many hundreds of years, till at laſt *Hezechiah* reformed it. 2. The *ſhutting up the doors of Gods Houſe, putting out the Lamps*, and hindering the *burning of Incenſe*, and of *offering Sacrifice* in the time of *Ahaz.* 2 *Chron.* 28.24. —29.7. Again, the ceaſſing of God's publick worſhip under the *Babiloniſh* Captivity. Again, the taking away *the daily Sacrifice*, and the *ſetting up the abomination of deſolation* upon the Altar, in the time of the *Maccabees* by *Antiochus.* 1 Macchab. 1.54, 59. 3. To all which, in the laſt place, may be added the Reformations of this Church made by the Kings, and not by the Prieſts, after the defection of *Solomon*, *Rehoboam*, and *Abijah*, by *Aſa*, and his Son *Jehoſaphat*. After that again, of *Ahaz* by *Hezechiah*, after that, of *Manaſſes* and *Amon* by *Joſiah*.

§. 23 To make way here by certain degrees for a ſatisfying anſwer to the places objected. 1. I think none will deny, but that a true worſhip of God hath always been preſerved upon earth in ſome perſons or others, Laicks or Clergy, or both. Jo. 4. 22. *Luke* 16.16. *Gen.* 49.10. See *Rom.* 11. 2,5. —9. 6, 7, 29. —3. 3. *Pſal.* 89. 33. &c. See *Benef. of our Saviour. Hault.*

§. 24. 2. I think it will not be pretended, or at leaſt that it cannot be ſhewed, that in any time mere Laicks only retained this true worſhip without any Clergy at all orthodox; ſo that in ſuch time the Catholick Church, the belief of which we profeſs in our *Creed*, conſiſted wholly of Laicks, deſtitute of a Miniſter of Holy things, of publick Liturgy, power of the Keys, adminiſtration of Sacraments, teaching God's law, ordination of Succeſſors

ceſſors, in theſe Holy functions, *&c.* except perhaps theſe ſuch as were vain, falſe, pernicious. But however elſe it be, yet under the times of the Law (which only are to our purpoſe at preſent) can be ſhewed no ſuch thing. For in the two greateſt Apoſtacies that were in theſe times, that of *Ahaz* before *Hezechias* Reformation, and that of *Manaſſes* before *Joſiah's*, —for whoſe enormous ſins chiefly *Judah* was doomed by God to the *Babiloniſh* Captivity, irreverſible either by his own or by his righteous Son *Joſiah's* repentance and reformation; (ſee 2 *Kings* 23. 26. compared with 25. —24.3, 4.–21. 10,11. *Jer.* 15,4. 2 *Chron.* 33.15. *&c.*) yet I ſay in theſe two, the greateſt Apoſtacies, we find that there was ſome Clergy ſtill remaining orthodox. For the one ſee 2 *Chron.* 29. 4, 13. where *Hezechias* Reformation in the very beginning of his Reign is aſſiſted by the Prieſts, and theſe reintroduced into the Service of the Temple, out of which they had been not long before excluded by *Ahaz* in the latter end of his Reign. 2 *Chr.* 28. 24. But yet for the moſt part of *Ahaz* his reign alſo, we find the daily Morning and Evening Sacrifice in the Temple not intermitted: ſee 2 *Kings* 16.15. In whoſe time alſo *Hezechiah* his Son was rightly educated and inſtructed in the true Religion, reforming all as ſoon as he came to the Crown; in whoſe time alſo were many Prophets, *Iſaiah*, *Hoſea*, *Amos*, *Micah*, and others, who both inſtructed the people, and animated and confirmed the Prieſts in God's true worſhip: and the diſhonourable burial of *Ahaz* 2 *Chron.* 28.27. ſhews neither the Nobility, nor Clergy, nor people, generally addicted to his Apoſtacy; whoſe Progenitors alſo *Uzziah* and *Jotham* being orthodox Princes, it is not well imaginable how ſo ſhort a Reign as his, which laſted only ſixteen years, could produce any general defection.

But

But if this in others, yet eſpecially not in the Levites and in *Aaron's* poſterity; becauſe theſe, who were ſelected for the ſacred Miniſtery in the worſhip of the God of Iſrael, yet had no ſuch priviledge in the ſervice of other Gods. For, for the worſhip of their Idols, the Kings as of *Iſrael*, 2 *Chron.* 11.15. -13.9. ſo of *Judah*, made others Prieſts, who were not deſcended from *Aaron*, conſecrated after the manner of the Levitical Prieſts, only with more Sacrifices; 2 *Chr.* 13.9. compared with *Exod.* 29.1. who are called Chemarim, 2 *King.* 23.5. [*And Joſiah put down the Chemarim*, i.e. the idolatrous Prieſts, whom the Kings of *Judah* had ordained *&c.*] ſee concerning theſe likewiſe in *Zeph.* 1. 4. and *Hoſ.* 10.5. tho I deny not but that ſometimes ſome of the Levitical Prieſts might fall away to idolatry, and officiate amongſt theſe. [Yet ſee their conſtancy in the defection of *Ieroboam* and his ſons, who, it is ſaid (2 *Chr.* 11.13, 14.) *the Prieſts and the Levites, that were in all Iſrael, left their ſuburbs and their poſſeſſions, and came to Judah and Jeruſalem, becauſe Jeroboam and his Sons would not permit them to execute their office unto the Lord.*] But then when any of theſe Prieſts ſo Apoſtatized, they were never afterward permitted, tho penitent, to approach to God's Altar, or officiate in Holy things before the Lord, as I ſhall ſhew you preſently.

§ 25. This concerning the times of *Ahaz*. Next, for the Apoſtacy of *Manaſſes*, which was far much greater yet, (ſee 2 *Chron.* 33.16.) where in the latter end of his days the true worſhip of God was reſtored, and the Prieſts of the Lord officiated in the Temple. See likewiſe 2 *Chro.* 34. and 35. *ch.* where *Joſiah* in his Reformation, begun before by *Manaſſes* his Grandfather, had the aſſiſtance of the Prieſts and Levites, and amongſt the

the reſt, of the High Prieſt *Hilkiah*, who alſo found in the Temple the book of the Law, (probably the Original, which it was commanded that it ſhould be put in a place made for it in the ſide of the Ark, *Deut.* 31. 26. and now it was found in the cleanſing of the Temple,) and communicated it to the Prince, who therefore long before this had learnt God's true Service, not from the Scriptures, but from the Prieſts. Now none of theſe Prieſts and Levites, who aſſiſted *Joſiah*, did apoſtatize at all in the days of *Manaſſes*. For touching idolatrous Prieſts, King *Joſiah*, who performed, as the laſt, ſo the exacteſt Reformation of any Prince of *Judah*, proceeded ſo ſeverely againſt them, as to ſacrifice them upon their Idol-Altars, (ſee 2 *Kings* 23. 20. according to the Prophecy of him. 1 *Kings* 13.2.) And even touching thoſe other Levitical Prieſts, who had formerly offered ſacrifices in the High places, tho theſe to the God of *Iſrael*; he would not permit them afterwards to officiate at the Lord's Altar in *Jeruſalem*, but only indulged them their diet, with the reſt of the Prieſts. See 2 *Kings* 23. 7,9. Agreeable to which is that charge in *Ezek.* 44.10. that thoſe Prieſts, who had miniſtred formerly to *Iſrael*, before their idols, ſhould not come near to do the Office of a Prieſt unto the Lord, nor come near to any of his Holy things, in the moſt Holy place, but only be Under-Miniſters in the Sanctuary. Thoſe Prieſts therefore that officiated in *Joſiah's* days, had not formerly revolted in the days of *Manaſſes*. Add to this that *Manaſſes* his times were not alſo deſtitute of Prophets, ſent from God to him, and his people: 2 *Kings* 21. 10. By whom alſo *Eſaias* is ſaid (by the Jewiſh Tradition) to have ſuffered a moſt cruel death, ſawn aſunder.

As

§ 26. As for the times after *Josiah*, before the destruction of *Jerusalem*, they were not very long, not above twelve years to the first Captivity. Again, these times, tho very corrupt, yet after *Josiah's* purging of the Land, not equalling the former Apostacy of *Manasses*, therefore the Captivity chiefly charg'd on his Guilt. In these times some of the Princes and Great men good, (as *Ahikam*, *Jer.* 26. 24. a powerful man under *Josiah*. 2 *Kin.* 22. 12. and *Ebedmelech* (*Jer.* 30. 39.) by whom *Jeremy* was several times befriended, *Jer. ch.* 26 & 36. and *Seraiah* and *Baruch*, *Jer.* 51. 59.–43. 6. and *Daniel* with his three Companions, *Dan.* 1. 1, 6. and *Mordecai*, *Esth.* 2. 6. In these times too were many Prophets, *Uriah* *Jer.* 26. 21. *Zephaniah*, and the Priests, *Jeremias* and *Ezechiel*. And in the same times where the Idolatrous Priests are rejected by the Lord, so it is testified in *ch.* 44. of *Ezech.* who began to propheſie some few years before the last Captivity, *Ezek.* 1. 2. of some others of the Priests, that they persevered upright, see *ch.* 44. 15. But the Priests the Levites, the Sons of *Zadock* (either of *Zadock* mention'd 1 *Kin.* 2. 35. & 1 *Chron.* 6. 8. or of *Sadock* mention'd 1 *Chron.* 6. 12. Grandfather to *Hilkiah* the High Priest in *Josiah's* time,) *that kept the charge of my Sanctuary when the Children of Israel went astray from me, they shall come near to me, to minister unto me, &c.* Some Priests therefore there were through all those evil times, whom God accepted and owned. And for those others after *Josiah's* days, who are so oft complain'd on, tho some of them perhaps faln away to Idolatry, yet are they chiefly accused (as also the Kings) for the wickedness of their Lives, and neglect of their duty, and for Covetousness, and particularly for undertaking to foretell good things to a wicked people, instead of exhort-

exhorting them to repentance; and laſtly, for perſecuting the true Prophets, who foretold bad things, *Jer.* 23. 26, 27, 28, 29. Chapters. This that the Church of God, if always it had a being, had not this being, eſpecially after the *Moſaical* Oeconomy, without ſome Orthodox Clergy concurring to the Conſtitution thereof, and adminiſtring holy things therein, and was never a Flock without ſome Paſtors.

§ 27. 3. I think it cannot be ſhew'd, That the Judaical Clergy of thoſe times was divided into two or more Sects, (unleſs it were in later times, the diviſion between the *Phariſees* and *Sadducees*, and ſome others,) both profeſſing the Obſervance of *Moſes* his Law, and the Worſhip of the God of *Iſrael*; but only into two parts, one falling away from, and deſerting *Moſes*'s Law, and the God of *Iſrael*. So that here the people could not be put to any doubt (how numerous ſoever any part happen'd to be at ſome time in compariſon of the other) whom they were to obey and follow as their true Guides and Governors, where one part openly renounc'd the God of *Iſrael* and his Laws. But if any Diviſion ſhould have been amongſt that Clergy, which all adher'd to the God of *Iſrael*, neither here could the people miſtake their Guides; for they were always to be guided by the major part of theſe, eſpecially if the High Prieſt alſo himſelf concurr'd and join'd with it. And if you ask, What if that, which is now a Minor part amongſt theſe Eccleſiaſtical Judges, and is condemn'd by the reſt, in time happens to overnumber the reſt? I anſwer, That theſe two Parties ſhall always ſtand oppoſite to one another, and Truth divide it ſelf from error, and the Innovators ſtill either be caſt out, or alſo go out from the others; who, as Innovators alſo when they firſt are either caſt out, or

do go out, are eafily diſcern'd by their paucity; tho afterwards ſuch a defection may be, that they may outnumber the Catholicks themſelves. Theſe two bodies then ſtanding thus diſtinct, *Id eſt verum* (as *Tertullian* ſaith concerning diſcerning Hereſies) *quodcunque primum; id adulterum quod poſterius.* That which is the former, and was formerly alſo the more numerous, is the righter; and it only, or, in any diſſent, the major part thereof, is to be adher'd to, and obey'd. Of which matter ſee more below, and *Trial of Doctrines*, §. 32. Sectaries are either always the fewer number, or at leſt the fewer at their going out; and the former body of the Orthodox and Catholick Clergy never afterwards joining with them, how numerous ſoever. As for the *Sadduces*, their Sect was as groſs for their Tenents, (*Mat.* 22. 24, 27.) ſo inconſiderable for number and none, or no conſiderable party of the *Sanedrim*. Thus then, as in the Apoſtacy of ſome part, yet there never wanted a true and Catholick Clergy to guide the people; ſo the people never wanted alſo a ſufficient evidence to know what Clergy were their true Guides; which Guides once found and known, they were now to lay aſide their own judgment, and follow theirs.

§. 28. 4. Beſides an Orthodox part of the Clergy to guide the people in thoſe times of the Law, God ſent unto them from time to time other extraordinary Guides, the Prophets, ſee 2 *Kin.* 17. 13, 14. 2 *Chron.* 24. 19.—36. 15, 16. *Jer.* 25. 4.—35. 14, 15. *Mat.* 23. 34. Their chief Judges, and their Prieſts alſo, being ſometimes Prophets, as *Deborah*, *Samuel*, *David*, *Jeremiah*, *Ezechiel*, *Zacharias* (2 *Chron.* 24. 20.) and others Whoſe Miſſion from God was ſufficiently teſtified to the people, by God's giving the power of Miracles to ſome, by fulfilling the Predictions of others in matters of

of a speedy accomplishment, that so in other things they might be credited, God suffering none of their words to fall to the ground, *Deut.* 18. 22. *Jer.* 28. 9. 1 *Sam.* 3. 19. 20. [*God let none of his words fall to the ground, and all Israel knew that Samuel was established to be a Prophet*] see 1 *Kin.* 17. *Elijah*'s drought. *Jer.* 28. 16, 17. *Hananiah*'s dying the same year. Such instances might be many. And these extraordinary Directors and Instructers of the people, were sent commonly in the most peccant times, and to the more guilty Princes both of *Judah* and *Israel*. So in *Judah*, *Shemaiah* the Prophet was sent to *Rehoboam*, 2 *Chron.* 12. 5. To *Jehoram*, by reason of his matching with *Ahab*'s Daughter, (much more wicked than any of his Forefathers) *Eliah*'s Letter 2 *Chron.* 21. 12. — besides that in those wicked times of him and his Son was *Jehojada* the High Priest an extraordinary person, 2 *Chron.* 24. 15. who afterward reform'd the Church, 2 *Chron.* 23. To *Joash*, revolting after *Jehoiadah*'s death, was sent the Prophet *Zechariah*, *Jehoiadah*'s Son, 2 *Chron.* 24. 20. To *Amaziah* also, when he in his later days turn'd aside, was another Prophet sent, 2 *Chron.* 25. 15. Afterward God sent *Zechariah*, a Prophet, for the guide of *Uzziah* his Son; who after *Zechariah*'s death presuming to meddle with Holy things, was sharply rebuk'd, and thrust out of the Temple by the zealous Priests, 2 *Chron.* 26. 5, 17, 20. In wicked *Ahaz*'s time, were many Prophets sent in a time of much iniquity, *Hosea*, *Amos*, *Micha*, *Isaiah*, and others of the Minor Prophets, then or sooner. To *Manasses* also, and the people of his days, were Prophets sent, see 2 *King.* 21. 10. and 2 *Chron.* 33. 10. who spake unto them, but they would not hearken. Lastly, in the times after *Josiah*, were the Prophets *Jeremiah*, *Ezechiel*, *Zephaniah*, and others; *rising betimes, and sending his Mes-*

ſengers, becauſe he had compaſſion on his people, and on his dwelling-place, as it is ſaid 2 *Chron.* 36. 15. And to theſe extraordinary Prophets, being forerunners and types of our Saviour, the great Prophet that was promiſed, *Deut.* 18. 15, 18. where thoſe who well-inclin'd went with great reverence to reſort to hear the words of the Lord from them, denouncing God's judgments upon ſin, preaching repentance, and upon it eternal redemption by the future Meſſias. See *Ezech.* 8. 1.—33. 31. *Jer.* 36. 2 *King.* 4. 23.

§ 29. 5. It ſeems, That ſuch conſtant Guides, unerring as to matter of knowledg neceſſary to Salvation, were requiſite to thoſe times before the Captivity, in this reſpect; becauſe tho the Law was written, yet there was no great plenty of the Copies, and perhaps none entire, ſave what were in the hands of the Prieſts or Levites. The Original was commanded to be put at the ſide of the Ark, *Deut.* 31. 25. Out of which the Prieſts had a Tranſcript; and out of this another Copy'd for the King, *Deut.* 17. 18, 19. But that ſuch Copies were not very common, ſee 2 *Chron.* 17. 9. where the Prieſts and Levites, that were ſent by *Jehoſhaphat* from *Jeruſalem* to teach in the Country, are ſaid to have taken the Book of the Law with them; and 2 *King.* 22. 8, 10, 11. where the Book of the Law, perhaps the Original, after *Manaſſes* his perſecution, is ſaid to have been found by chance, as it were, in the Temple, in repairing the Houſe. Which I do not urge, as if there had been no Book of the Law at all, preſerv'd in any hand, if this had not been found, but only to ſhew, that it was then very ſcarce; for that pious King, tho now in the Eighteenth year of his Reign, had not ſeen it before; and ill times, between *Hezechiah* and *Joſiah*, could not have render'd it ſo rare, if the former times had abounded with Copies thereof. As for the

the practice enjoined *Deut.*6.7, 8, 9. it was not for the entire body of the law, but only for ſome choice and ſelect pieces thereof, of more general concernment, as may be perceived by the narrowneſs of the Tables, wherein theſe were to be written.

6. At leaſt, there ſeems as much neceſſity of ſuch Guides, under the writings of the Old Teſtament, as under thoſe of the New; whereof as the Writings are more common, ſo alſo more plain, all thoſe things being fulfilled and explained in the Goſpel, which were ſhadowed only and typified in the law. 2 *Cor.* 3.12. &c. Now under the Goſpel I ſhall ſhew you by and by, that God hath left Guides unerrable for all neceſſary knowledge in all matters of ſalvation. Theſe things therefore being firſt recommended to your conſideration; as alſo this, That the *Donatiſts* long ſince urged ſome of theſe Objections, for the failing of the Church under the law, and that S. *Auſtin* hath anſwered them in defence of its not failing, ſee S. *Auſtin. Epiſt.* 48. *De Unitate Eccleſiæ, cap.* 12, 13. —*Contra Donat. poſt Collationem.* 20.c. §. 30.

To *a.* The texts urged out of the Prophets I anſwer; That ſome of them ſpeak not of the Prieſts errors, at leaſt in truths neceſſary, but of their vitiouſneſs; and here the people were to follow their ſayings, not their doings. Again, ſome, not of their falſe doctrines or expoſitions of the Law, but of their falſe predictions; they, ſome of them acting in oppoſition to thoſe ſent by God, Prophets as well as Prieſts, and being in this reſpect ignorant, blind, and falſe Guides. See *Jer.* 23.27, 28. &c. Again, ſome Prophetical only of the falling away of that Church, after the coming of the Meſſias, and ſubſtitution of the Church of the Gentiles. Again, That §. 31. To *a.*

That some indeed speak of the falling away, in some times, of a great part of the Priests, if not into Heresy, yet unto Open idolatry. But yet this we say hindereth not, but that the people in all times might have some orthodox Clergy to adhere to, and this a body distinct, and easily discernable, from the party falling away, as hath bin shewed before in *Consid.* 3. *p.* 33. and amongst them had the High Priest for their chief Guide, who cannot be shewed in any of those times to have Apostatized to idolatry. And this body of Clergy that persevered orthodox, we may well imagin to have behaved themselves, for their Courts or Sanedrim, for their Assemblies and such Divine Services, as might be performed without the Temple, in some such manner, under the persecuting Kings of *Judah*, as the Apostles, and their Successors did under the persecuting Emperors. Lastly, that when the Prophets in some places name all the Clergy or Priests to be ignorant, blinded *&c.* they mean (for the reasons given above in *Consid.* 2. *p.* 28.) only many of them; All of such a place, of such a relation or sect, there; in a manner all, as is not unusual elsewhere: see *Ps.* 14. 3. *Phil.* 2.21. which answer is not mine, but was given along ago by S. *Austin* to the *Donatists* urging such texts. (*De unitate Ecclesiæ c.* 1.) —*Plerumque Sermo Divinus impias turbas Ecclesiæ sic redarguit tanquam omnes tales sint, & nullus bonus omnino remanserit. Inde quippe admonemur in suo quodam numero eos dici omnes* &c. and *contra Donat. post collat.* 20. —*More suo Scriptura loquitur, quæ sic arguit malos, tanquam omnes in eo populo mali sint, & sic consolatur bonos, tanquam omnes ibi tales sint.* —*In populo Corinthiorum, quod dicimus, demonstramus, ne forte arbitrentur Prophetarum tantum moris fuisse, sic arguere reprehensibiles quasi omnes in eo populo arguantur* &c.

To

To β. This place is interpreted by some of the time of the Judges; and then, as is answered to α, it must be understood not of all, but of a great part of *Israel*, for all this time God's true worship was preserved in *Shiloh*, at least where the Ark, Tabernacle, and Altar was setled, and which the piously-affected yearly frequented. See *Josh.* 8.1. *Jud.* 18.31. 1 *Sam.* 1.3. By others, of the times of *Jeroboam*. But here *Israel* falling away, God had still his true Church in *Judah*. §. 32. To β.

To ſ. This ſin of *Aaron* was before his being inſtalled High Prieſt. In this, his and the peoples defection, both *Moſes*, then the ſupreme Governour in Eccleſiaſtical affairs, and all the Tribe of *Levi*, remained not only conſtant, but valiant and zealous Profeſſors of the true Religion, for which God afterward choſe his Tribe for the ſacred Miniſtery. See *Exod.* 32. 27. *Deut.* 33. 8, 9. *Malach.* 2. 5, 6. Laſtly, *Aaron's* Guilt (tho great) was rather in his being for fear (inſtead of a corrector) a complier with, than a Founder of the peoples Idolatry. §. 33. To ſ.

To δ. The fact of *Urijah* was but of one perſon, uncertain whether one of the chief Prieſts, or of ſome meaner ranke, but ſuch an one as was the King's favorite; at leaſt none ſuch is found named in the roll of the High Prieſts. 1 *Chron.* 6. 4. His act not conſented to, that we find, by any other of the Clergy. Beſides, the fault ſeemeth not great; the King's command having ſome ſhew of piety, who pretended the former Altar not large enough for the Sacrifices, and to reſerve it for more ſpecial occaſions: meanwhile continuing the daily Oblations of the uſual morning and evening Sacrifice upon this new Altar, as was formerly on the other: ſee 2 *Kings* 16. §. 34. To δ.

16.15. Add to this, that the Prophet *Esaiah* selecting him for a witness to his Prophecy, (*Esa.* 8. 2.) together with *Zechariah* one of the Reformers in *Hezechiah's* time, (2 *Chron* 29.13.) argues him to have bin no person unsound in his Religion.

§ 35. To 1. God's true worship flourished in *Judah* still, To 1. after the revolt of *Israel*; when also the Priests and Levites revolted not with the people, but leaving their Cities and possessions, went over to *Judah*, and so did all the more devout among the people; (see 2 *Chro.* 11.13, 14.—15.9.) which indeed rendred *Judah* and *Benjamin* muchwhat equal to all the other Tribes. Again, in *Israel*, in *Jezebel's* persecution, were *Elijah*, and *Michaiah*, and probably many more Prophets of the Lord, tho concealed, and unknown to *Elijah*. In the 1 *King.* 18.3,13. there is mention made of an hundred of these Prophets; who, and many more, might be included in the 7000 mentioned by the Lord. 1 *Kin.* 19.18. And these Prophets had their Colledges, and had their followers among the people, who reforted to them on new Moons and Sabbaths, to hear the law of God. For they were not called Prophets only for predidiction of things future, (see 1 *Chro.* 15. and 25. *ch.* and 1 *Cor.* 14. *ch.* but for their sequestring themselves for the studying of Divinity, and celebrating the praises of God many times with raptures and sudden inspirations, and with Musick at the times of sacrificing, and other solemn meetings, (and therefore their Colledges were commonly at some High place,) and for this teaching and instructing the people in the ways of God. Now we find such Schools or Colledges of these Prophets in *Israel*, as in *Samuel's* time: one at *Naioth* in *Ramah*, governed, and perhaps also first erected by *Samuel*, to which Colledge *David* retired

tired when he firſt fled from *Saul*, ſee 1 *Sam.* 19. 18, 19, 20. another in the Hill of God, probably *Gibeon*, where was the great High Place, ſee 1 *Sam.* 10. 5. comp. with —13. 3. So alſo in the days of *Jezebel* (tho probably in her great perſecution theſe were diſpers'd) one at *Bethel*, and another at *Jericho*, and another at *Gilgal*; govern'd by *Eliſha*, ſee 2 *King.* 2. 3, 5.—6. 1.—4. 38. One of which Sons of the Prophets ſee ſent with a Meſſage to *Ahab* himſelf, 1 *King.* 20. 31. and another with a Meſſage to *Jehu*, who afterward ſlew *Jezebel*, 2 *King.* 9. 1. both of them diſcernable who they were by their Habits, ſee 1 *King.* 20. 41.—2 *King.* 9. 11. Pardon this digreſſion, to ſhew you, That God's Worſhip in *Iſrael* was not utterly extinct in the Reigns of thoſe wicked Kings.

§ 36. To ζ. To ζ. It is not affirm'd, That God's true Clergy, and the Church's Guides, ſhall err in nothing, but not in neceſſaries. For the Sacrificing in ſeveral High places, where God's Tabernacle was not pitch'd, tho at firſt it was very ſtrictly forbidden upon pain of death, the more to preſerve God's people, in the Church's infancy, from all Idolatry, and the ſetting up, and ſerving in their neceſſities, conſulting ſeveral Gods, or in ſeveral places varying the Rites in Worſhipping the true God. Yet as it was done by the Holy Patriarchs in ſeveral places before God had erected any Symbol of his preſence amongſt them, ſo after that the Ark and Tabernacle of *Moſes* was remov'd from place to place, and theſe alſo ſever'd from one another; from the time that the Ark was taken by the *Philiſtines*, and the Temple not yet built, it ſeems not ſo unexcuſable a fault as ſome would make it, being a thing done in thoſe days, moſt-what (eſpecally for Peace-Offerings) by the Holieſt of men, as *Samuel* and *David*, accepted by God, and ſometimes commanded by him. See *Judg.* 6. 26.—13. 19.—1 *Sam.*

7. 9.—9. 12.—1 *Sam.* 16. 2.—20. 6. and in ſome manner excuſed, 1 *King.* 3. 3. and 2 *Chron.* 33. 17. Indeed after the Temple erected, a far more hainous fault it was in the Prieſts of *Judah*; but the better ſort of this Clergy was not guilty of it, as may be ſeen (in the forecited Text, 2 *King.* 23. 7, 9.) by the puniſhment that *Joſiah* inflicted on ſuch former Offenders. Yet in thoſe times we find it done in *Iſrael* in caſes extraordinary, by the Prophet *Elijah* 1 *King.* 18. 33. and accepted by God *ver.* 38. and ſome ſuch thing ſeems to be conceded to *Naaman* the *Syrian*, 2 *King.* 5. 17, 19.

§ 37. To 11. It is granted, that God's publick Worſhip for Sacrifice, *&c.* in that place where only he appointed it (which Worſhip might not be perform'd elſewhere) was under the Law ſeveral times by wicked Kings prohibited, and ſo ſeveral times intermitted by the Prieſts. But notwithſtanding this, the Legal Clergy ſtill ſubſiſted under thoſe oppreſſing Kings, as the Evangelical did under the perſecuting Emperors, and continued all thoſe parts of God's Worſhip in more ſecret Aſſemblies, which might lawfully be exerciſed elſewhere as well as in the Temple.

§ 38. To 12. The Kings of *Judah*, 1. Are no where ſaid to have reform'd all the Prieſts, or the High Prieſt, or not to have found him as Orthodox as themſelves. 2. Are not ſaid to have reform'd the People againſt the Prieſts. 3. Are not ſaid to have reform'd the People without the Prieſts. 4. Are every where ſaid to have been aſſiſted in their Reformation by the Prieſt. See more of this hereafter, and before, § 24, *&c.* The moſt that Biſhop *Andrews* ſaith, in anſwer to *Bellarmin* (*Tort. Tort.* p. 365.) ſaith, in behalf of theſe Kings, is this; That theſe Kings reform'd *citra*

or

or *ante declarationem Ecclesiæ*: but he saith, not *contra declarationem*; and to make good his *citra* or *ante*, hath only the strength of a Negative Argument.—*Tortus loca aliquot apponere debuit, ubi Ecclesiæ declaratio præcessit.* Which argument is this: *There is set down no such Declaration, therefore there was no such.* An Argument of little strength always, less here, where so succinct a relation is made of so many hundred years, and chiefly of the actions of the Kings, not of the Church or Clergy. But yet of whom may we think did *Hezekiah* and *Josiah*, the Sons of such wicked Parents, learn the Religion to which they reform'd the people, but from some of the Clergy? And is not this enough (suppose it) for a *declaratio præcessit*? The King's power is more effective for a Reformation than the Priests, because his Civil Sword awes men more than the Spiritual; and therefore the King's part in it is more spoken of (especially in a story written chiefly of the Kings), except *Jehoiada* the Priest's Reformation, when the King was a Child, 2 *Chron.* 23. But the Kings, without Priests, in Church-matters may reform nothing, because he is to learn from the Priests God's Law, and what concerning it he is to reform. The King may command also the Priest to do his duty according to this Law; but then he must first learn from the Priest what is the Priest's duty according to that Law, *i. e.* he may constrain in Spiritual matters any Priest to do what the Body of the Clergy, and the Councils of the Church inform him that the Priest ought to do. And he may not constrain in Spiritual matters any Priest to do, what the said Clergy and Councils declare against. The King may reestablish the Priests in their Office, and exhort them to a faithful Administration thereof, and yet it follows not, that these formerly deserted or neglected

lected this Office; but only that they were formerly ejected from it, and might for the future possibly neglect it; and much less doth it follow, that the King gave them any right to it, or could justly deprive them of it.

§. 39. This to the former Arguments and instances concerning the failing of the Church-Guides. And so I have done with the Oeconomy of God's Church under the Law; where (to look back a little, before I proceed farther to the times of the Gospel): 1. I do not say, That no Written Law can be plain enough for men to learn out of it, without any authoriz'd Expositor thereof, all Faith and Duty necessary to Salvation; or for men to incur just Damnation in not yeilding Obedience to its Rules. And therefore I do not say, That an Expositor or Judg is absolutely necessary besides any such Law in this respect, tho for many other respects he is, as hath been shew'd before. Neither do I affirm, that if God giveth us not together with his Laws some external infallible Expositor of them, he would be unjust or deficient in his Providence: For the contrary of this appears in Heathenism, where men, having no external but fallible Guides, yet having the Law of Nature, and an internal Judg and Expositor thereof, their own Conscience (which in many of those Laws erreth not, except in the most desperate and obdurate sinners, and which, whether they will or no, within gives a right sentence against them) are for offending against this Law justly condemn'd, see *Rom.* 2. 14, 15. comp. 12. 2. Neither do I say, that where God hath not appointed any one to seek the meaning of his Laws from anothers mouth, there he may not (*ceteris paribus*, that is, where he thinks his own abilities as great as other mens) judg for himself; and we ought to presume, that where God

hath ſet no ſuch Directors over us, there his Laws are delivered with clearneſs enough to be underſtood by our ſelves. But 3*ly*, This only I ſay, That thoſe to whom God in his overflowing goodneſs hath beſides his Laws left alſo Guides, and commanded them to obey theſe, ſuch cannot innocently withdraw their obedience from theſe Guides; ought not to uſe their private judgment againſt theſe; are ſafe, if theſe Guides err, in following them, tho not the Guides ſafe, in no better conducting them; and that, tho in ſome times, theſe Guides, to whom God referreth us, for knowing his will, may be much more corrupt than in others; yet that theſe, by God's care over his people, can never ſo groſly erre, as that their followers ſhall not receive from their doctrines all neceſſary knowledge for ſalvation; and that this is ſufficient to tie us always to their obedence. 1. Becauſe we cannot promiſe our ſelves this ſecurity in following our own private judgments, which we have in following theirs, for private men are not ſecure upon their own judgment from falling into fundamental errors, as perhaps the Sadduces did in relinquiſhing the *Moſes*-chair-men of their times. 2*ly*. Becauſe if any mortal error ſhould be ſuppoſed to have ſeazed upon theſe Supreme Governours, on whom by his appointment all others depend, it is to be hoped that God will never ſuffer it long, but either change their opinions, or the perſons. For in all extremities God ſends ſpeedy relief.

This being ſaid from *p.* 4. of unfailing Guides and Judges for Spiritual matters in the times of the Law; now we come to the times of the Goſpel. §. 40.

Where 1. Obſerve, that if in theſe we prove an unfailing Church-authority, to whoſe judgment and ſentence

tence we ought always to ſubmit, tho under the Law it were much otherwiſe, and tho all that is ſaid hitherto be cancelled; yet this ſufficiently ſerveth the intent of our Diſcourſe, namely, to procure due obedience to the preſent Church-governours. And indeed there want not many motives to perſwade us, that tho the law never had any ſuch highly-priviledged Guides, yet the Goſpel hath, and therefore that no arguments taken from the one can conclude any thing concerning the other. Becauſe the Goſpel advanceth to a much higher perfection than the Law, nay to the higheſt; and is to have no further Teſtaments or Manifeſtations of God's will to ſucceed it, as the Law and Old Teſtament was: (*Deut.* 18. 15, 18, 19. *Heb.* 9. 8, 9, 10.) Becauſe the Miniſter of this is not a Servant, but the Maſter of the Houſe himſelf; the laſt Legiſlator, the laſt Reformer, and Conſummator of all the myſteries of Religion, who came out of his Fathers boſom to reveal to men all his will, and after him to come none other: *Heb.* 1. 2, 9, 10. 1 *Jo.* 17, 18. *Jo.* 4. 25 Becauſe the Church under the Goſpel hath a much nobler Prieſthood founded in a *Succeſſion* to this Son of God, hath a far nobler Sacrifice, a far nobler Unction of the Holy Ghoſt in the much more copious effuſions thereof, called *Spiritus veritatis*, *Jo.* 14. 17. and promiſed to *lead them into all truth*, as well as holineſs. *Jo.* 16. 13. —A far more extended and ſtronger Tradition in the Goſpel ſpread over all Nations, and a far more numerous Sanedrim, if I may ſo call the Churches Councils, than the Law had; and higher and clearer promiſes made to theſe, of the Son of God, the Truth's perpetual preſence with and aſſiſtance of them; as I ſhall now ſhew you.

After,

After, therefore thoſe taken away, who ſate in *Moſes* his chair to guide the people in matters of the law, that there are others placed in Chriſt's Chair to guide God's people in all matters of the Goſpel, whoſe judgment and ſentence in all their deciſions the ſubjects of the Church ought to follow and obey, appeareth 1. from many texts of Scripture. §. 41.

See firſt that text in the Goſpel *Matt.* 18. 15. &c. anſwering to that other formerly urged in the law, *Deut. c.* 17. *v.* 8. &c. —*If thy brother ſhall treſpaſs againſt thee,* [*i.e.* either by way of perſonal offence, or by way of ſcandal, of which our Saviour had bin ſpeaking before *v.* 6,7. whereby any great offence of our brother, againſt God, againſt his neighbour, or himſelf becomes matter of our cogniſance, as fellow-members of the ſame Body, and who ſhould be always ſo charitably affected to him, as not to ſuffer ſin upon him, *Lev.* 19. 17.] *go and tell him his fault between thee and him alone,* &c. *If he will not hear thee, then take with thee two or three more,* &c, [convent, and arraign him, as it were, before ſome neighbours.] *If he ſhall neglect to hear them, tell it* [his fault and neglect] *unto the Church; but if he neglect to hear the Church, let him be unto thee as an Heathen, and a Publican,* [as a perſon excommunicated, and not to be acompanied with. *Luk.* 15.2.] *Verily I ſay unto you, whatſoever ye* [before whom ſuch matters are brought] *ſhall bind on earth, ſhall be bound in heaven, and whatſoever ye ſhall* [upon ſuch offenders penitence] *looſe on earth, ſhall be looſed in heaven.* Again. *I ſay unto you, that if two of you* [any ſmall aſſembly] *ſhall agree* [together] *on earth, as touching any thing that they ſhall* [reſolve on and] *ask* [to have it ratified,] *it ſhall be done for them of my Father. For where* [any ſuch aſſembly tho but] *two or three*

are

are gathered together in my Name, [and by my authority delegated to them, (ſee 1 *Cor.* 5.4. 2 *Cor.* 2. 10.)] *there am I* [whom the Father heareth always] *in the midſt of them.*

§ 42. In which Scriptures, 1. That by *Church* [*Tell it unto the Church*] v. 17. is to be underſtood *Clergy*, is clear from what follows *v.* 18. *whatſoever ye ſhall bind* &c. comp. with *Mat.* 16. 19. *Jo.* 20. 23. and from what follows *v.* 20 comp. with *Mat.* 28. 19, 20. And 2. That here is meant the *Clergy*, not only that were then in being, the Apoſtles; but that ſhould ſucceed them through all following Ages, is clear both from the ſame occaſions of repairing to the Churches Tribunal, *v.* 15. occurring in all ages, and from the power of binding and looſing, as neceſſary in one age as another, and unqueſtionably exerciſed by the Apoſtles Succeſſors; concerning which matter I refer you to what is ſaid before §. 36. *n.* 1, 2. and below and *Church-Government part.* 2. §. 27. *&c.* 3ly, That the Order for telling, and the Precept of hearing this Clergy, the Church of all Ages is to be underſtood, not only concerning ſome injuries, or wrongs done to us by our brother, but concerning other faults and evil manners, whereby our brother offends God and the Chriſtian Society, whereof he is a member, appears from that expreſſion *v.* 15. *If he ſhall hear thee, thou haſt gained thy brother*; not gained thy loſs in receiving ſatisfaction, but gained thy Brother in procuring his reformation. Again, that is to be underſtood not only concerning treſpaſs of Manners neither, but alſo of Doctrines and Opinions much more, as it ſeems deduceable from the context, *v.* 6, 7. mentioning ſcandals, of which, falſe doctrines and opinions are the chiefeſt, and as it ſeems clear *à minori ad majus*; if others, our Brothers treſ-

treſpaſſes be matter of complaint, and of the Churches cogniſance, much more theſe; any corruption in a matter of faith being generally far more dangerous and pernicious, than a corruption in manners. See *Jo.* 2. 11. *Gal.* 5. 20. *evil deeds, hereſies,* &c. and *Rom.* 2. 8. the *contentious not obeying the truth.* — 2 *Pet.* 3. 16. *Wreſting Scriptures to their own deſtruction.* —*Tit.* 1. 11. *Rom.* 16. 17. *Act.* 15. . *Subverting mens ſouls, and deceiving the hearts of the ſimple.* —Jud. 11. *periſhing in gainſaying.* And our zeal to God's truth and honour being much to be preferred before that to our own wealth, honour, or ſecurity. So is it evident and put out of doubt by many other Scriptures, which may be brought in illuſtration of this; 1. In which Scriptures, both the members of the Church are warned to mark and avoid ſuch falſe teachers and doctrines. And 2*ly*, The Church-governours are authorized to judge controverſies, and proceed in their cenſures againſt ſuch teachers, and ſuch tenents as are contrary to the Doctrines formerly delivered by our Lord and his Apoſtles. And 3*ly*. in which Scriptures alſo are contained ſeveral inſtances of ſuch judgments and proceedings.

§. 33. See for the firſt *Rom.* 16. 17. 2 *Theſ.* 3. 14. 2 *Jo.* 10. where we are bidden to mark, to *note thoſe that obey not*, thoſe that cauſe *diviſions*, contrary to the Doctrines received from the Apoſtles, to avoid, *not to have company* with, *not to ſalute* them, *i. e.* to carry our ſelves toward them as *Heathens and Publicans* here; *Matt.* 18. 18. and to avoid ſuch in like manner, as the *Corinthians* the inceſtuous perſon, (1 *Cor.* 5. 11. compared with 7. 13.) that is, by Excommunication and Church-cenſures. Whence alſo was the cuſtom in the Primitive Church of Chriſtians that travelled, to carry with them Letters

commendatory from the Biſhop of the place, that ſo they might be admitted to the prayers and communion in thoſe Churches whither they went, ſcrupulous of joining with any Hereticks.

See for the 2*d*. Eph. 4. 4, 5, 11, *&c. There is one Body, and one Spirit, —One Lord, one Faith: —When he aſcended up on high he gave gifts unto men. —And he gave ſome Apoſtles* &c. *ſome Paſtors and Teachers, for the perfecting of the Saints, for the work of the Miniſtery, for the edifying of the Body of Chriſt, till we all come in the unity of the faith unto a perfect man. —That we henceforth be no more children toſſed to and fro, and carried about with every wind of doctrine by the ſlight of men* &c. This then is one office of the Churchmen, *to edify the Church in the unity of the faith*, and to keep them ſteddy in its Doctrines, that they be not carried about, now one way, now another; and that they be not thus carried about, not only before the Goſpel, or other Books of the N. Teſtament were written, but alſo after; nay alſo, that they be not carried about with ſeveral falſe gloſſes and miſintepretations of theſe Writings, of which very Writings S. *Peter* ſaith, (2 *Pet.* 3. 16.) that ſome *wreſted them to their own deſtruction*; therefore the members of the Church to ſubmit to their Doctrines, and to conform to their Faith, that there may be a unity therein, One Lord, one Faith, one Body, one Spirit, *an unity of the Spirit kept in the bond of peace*. v. 3. ſee *Heb.* 13. 7, 9, 17. The like obedience commanded to be given to theſe Church-rulers in reſpect of Doctrine, and Faith. —*Remember them who have the rule over you, and who have ſpoken unto you the Word of God, whoſe faith follow. —Jeſus Chriſt the ſame for ever. —Be not carried about with divers and ſtrange doctrines. —Obey them* &c. *for they watch for your ſouls, as they that muſt*

give

give account. *Account*, for the Precepts they give you, and for the Doctrines they teach you. Add to theſe thoſe Texts of the Apoſtle, charging Chriſtians to be *all of one judgment, to ſpeak the ſame thing, —not to be wiſe in their own conceits.* 1 Cor.1.10. *Rom.*12.16.–15.5,6. *Phil.*1. 27.–3.16. where the Apoſtle ſeemeth not to mean their condeſcendence for opinion one to another; for which rather who ſhall ſo yeild, will ſtill be in debate; but their union in the doctrine of their Spiritual Superiors, in which he would have them all to acquieſce. See 1 *Cor.*4. 16,17.–11.1,2. *Phil.*3. 17. *Rom.* 16. 17. 2 *Theſ.* 3.14. the ſucceeding Eccleſiaſtical Superiors being commanded ſtill to retain and continue the doctrine of their Predeceſſors. 1 *Tim.*1.3. 2 *Tim.*1.13.—2.2. After the forenamed miſſion *Eph.* 4. 11. ſee 1 *Cor.* 14. 29. 32. where the Apoſtle amongſt other things ſubmits alſo the doctrines of the Prophets to the judgment of the Prophets, [*let the other judge,*] and 1 *Tim.* 4. 11.–6.3.5. and *Titus* 1.11. and 3. 10,11. where he gives order to the Church-governours, (*Tim.* and *Titus,*) that touching error and *hereſy* in matter of faith, ſuch perſons (if any diſcovered) after due admoniſhment, ſhould be *withdrawn from*, ſhould be excommunicated and ſilenced by him; their *perſons rejected*, c. 3. their *mouths ſtopt*, c. 1.

§ 44. See for the 3d. *Act.* 15.2. *&c.* where a controverſy riſeing in the Church of *Antioch*, by reaſon of ſome teaching there, that the Gentiles were to be *circumciſed*, and to keep the *Moſaical Law*, without any ſuch commandment from their Superiors; *Act.* 15.44. who were oppoſed by *Paul* and *Barnabas*; the *Antiochians*, tho many amongſt them having eminent gifts of the Spirit, do repair for a final deciſion thereof to the judgment of the Apoſtles at *Jeruſalem*; where after an Aſſembly called,

v.6. we find a conſulting and diſputing on this matter (from the believing Phariſees, ſtill zealous of their law,) and then a giving of their ſeveral votes, and a deciding of it, not from pretence of immediate inſpiration, or revelation, but from arguments. 1. Of Gods converting the Gentiles (ſhewed in ſeveral inſtances,) and giving them the Holy Ghoſt (as to the Jews,) without any previous uſing ſuch Jewiſh ceremonies: And 2*ly*, from the Predictions of the Prophets, concerning the calling of the Gentiles in the latter days, as a diſtinct people, not to be tranſlated by *circumciſion* &c into the Jewiſh Religion, but to be tranſplanted and counited together with the Jews into the Chriſtian. *v.* 7, 12, 13, 19. After this, the ſending of their Conſtitutions to the particular Churches under this ſtile: *It ſeemed good unto the Holy Ghoſt, and to us, to lay upon you* &c. *v.* 28. See again (1 *Tim.* 1. 20. compared with 2 *Tim.* 2. 17, 18. and 4. 14, 15.) the Apoſtle excommunicating *Hymeneas*, *Alexander*, and others, for their falſe doctrines: —and ſee *Rev.* 2: 2, 14, 15, 20. the Lord Jeſus commending the Angel, *i.e.* Biſhop of the Church of *Epheſus*, for *trying*, and not tolerating or bearing with the falſe Apoſtles: and reprehending the Angels of the Churches of *Thyatira* and *Pergamas*, for the contrary; for their ſuffering the falſe Propheteſs *Jezabel* to teach and ſeduce his ſervants, and for their tolerating the *Nicolaitans*, who indulged the Chriſtians more liberty; 2 *Pet.* 2, 18, 19. in complying with Heathen Religions, and held it lawful to eat of their ſacrifices, and to commit fornications like them, ſome unnatural ones alſo which uſually accompanied Idolatry. See 1 *Kings* 14. 24. —15. 12. 2 *K.* 23. 7.

Thus

Thus have I ſhew'd you: 1. That by the Church, *Mat.* 18. 17. which is to be complain'd and repair'd to, in matters of treſpaſſes unreform'd, and to be heard and obey'd, upon pain of being reckon'd as an Heathen and Publican, of Excommunication, and being bound both in Earth and Heaven, *Mat.* 18. 18. that by this Church, I ſay, is meant the Clergy. 2. The Clergy of one Age as well as another. 3. This Clergy to be heard and obey'd, as well in matters of Theological Controverſies, and of Doctrines, as in any other matters; as well in theſe, if not more. §. 45.

Now 4ly. That this Hearing and Obedience due to them, is not only an obligation of non-contradicting, but of aſſenting to ſuch their Doctrines, and Deciſions of Controverſies, ſo far as they require aſſent; appears likewiſe from the aforenam'd Texts, as likewiſe thoſe following. Becauſe theſe Church-Officers are call'd Teachers and Guides, which have reference to Truth, as well as Judges and Rulers, which have reference to Peace; and we charg'd to hear them, as Chriſt; who alſo have receiv'd from Chriſt a Spirit leading them into all Truth, and a promiſe *that the Gates of Hell ſhall never prevail againſt them, &c.* Of which more anon. Again; Becauſe they are ſaid to be ſet over the Church, that there may be in it an *unity of faith*, *Eph.* 4. 13. and *one faith*, *ver.* 5. and not only a *bond of peace*, but an *unity of the ſpirit*, and *of judgment*, and *ſpeaking the ſame thing*, *&c. Eph.* 4. 13, 3. 1 *Cor.* 1. 10. That their Subjects may not be *carried about with every wind of doctrine*, by the ſleight of men; not carried about with them, *i.e.* not believe them. Now he who by theſe Superiors may be reſtrain'd from believing them, is hereby enjoin'd to believe the contradictories of them, namely, the Poſi-

tions

tions of the Church; and if the people are enjoin'd to believe this, then alſo their Seducers. But were the people oblig'd only to the obedience of non-contradiction, and not of aſſent toward ſuch Superiors; then whereas ſome Tenents are excluſive of Salvation, and many more having dangerous effects upon the lives and manners of Chriſtians, ſee *Act.* 15. 24.-2 *Pet.* 3. 16. (and wherefore are the Teachers prohibited, if the Doctrines were not pernicious, and to be renounc'd?) Yet is there no Church-authority which can afford any remedy to this great evil. It can indeed provide for its own peace, but not its ſubjects ſafety, whilſt it muſt tolerate the liberty of all (tho deſtructive) opinions; and may exact no more than a non-gainſaying. Again; Becauſe it is clear, that theſe Church-Guides may not only reject and excommunicate falſe Teachers and Seducers, but the Heretical alſo, when any way they come to be diſcover'd guilty thereof; conſider *Tit.* 3. 10, 11. where obſerve *ver.* 11. that their *autocatacriſie*, or being condemn'd by their own Conſcience, (tho there be no endeavour, by divulging their Hereſie, of infecting other men's Conſciences therewith) is render'd a ſufficient ground of their rejection; nor may ſuch Heretical perſon be reſtor'd again to the Church's Communion upon his engaging to conceal his Hereſie, but upon his quitting and renouncing it. Since then theſe Church-Guides have power to excommunicate Hereticks, *i. e.* men for holding falſe Opinions in matters of Faith; *i. e.* men for their diſſent, at leaſt after ſome previous admonitions, and reaſons ſufficient to convince; or men for their obſtinacy in diſſent; which obſtinacy is not delible but by yeilding aſſent. This I ſay infers, that there is due to theſe Church-Guides an Obedience of Aſſent; or elſe theſe Guides may excommunicate one

for

for not-performing an Obedience which is not due. (See this more largely proſecuted in *Oblig.* of *Judgm.* § 4.) And again, conſider 1 *Tim.* 4. 11.—6. 3, 5. where the Apoſtle writes thus to *Timothy*; *Theſe things command and teach*, —and *if any man do teach otherwiſe, and conſenteth not to wholeſome words, &c. from ſuch withdraw thy ſelf.* Laſtly, Becauſe at leaſt *in Agendis*, in all thoſe things which by theſe Eccleſiaſtical Judges are requir'd to be done, we muſt either yeild the obedience of Aſſent, or we can yeild none at all (ſave that call'd Paſſive Obedience, which is a ſubmitting to the puniſhment appointed for diſobedience); for who can oblige to do a thing, doth oblige us alſo to think it lawful to be done, elſe we may never do it. If then this Church-Authority may ſo far, *in Agendis*, determine to us *what is lawful or unlawful*; as, herein, to exact aſſent from us to her Judgment; why may it not in the like manner, *in Credendis*, determine to us *what is true and falſe*? Or, what reaſon can there be, that this ſhould be more unerring, or more creditable, in truths practical than ſpeculative, where both equally neceſſary.

§ 46. Theſe Scriptures already produc'd (from § 41.) do ſufficiently ſhew an Authority in the Clergy, under the Goſpel, to Judg Controverſies; and the Obedience due to their Sentence from the people. But ſo alſo in a ſecond place, do all thoſe Scriptures, wherein we find the promiſes made to theſe Guides of a perpetual aſſiſtance to them by the Lord Jeſus and by the Holy Ghoſt, and of their never erring, or failing in their Judgments. Whereby we are render'd ſecure of their ſufficient ability always in Judging, and of our own ſafety in following it. See *Mat.* 28. 19, 20.—18. 20. compar'd with 17. 18. *Rev.* 1. 13, 16. [the perpetual aſſiſtance of our Sa-

Saviour]. *Joh.* 14. 16, 26. —16. 13 1 *Joh.* 2. 20, 27. 1 *Cor.* 12. 7, 8. [the perpetual assistance of the Holy Ghost.] *Mat.* 16. 18, 19. *Luk.* 1 . 16. 1 *Tim.* 3. 15. 2 *Tim.* 2. 19. compar'd with 16, 17, 20 *Eph.* 4. 13. compar'd with 11. [their indefectibility]. The particular contents of which Scriptures set down in the former Treatise, § 31. I forbear here to repeat; you may be pleased there to review them.

Upon the expressions of which Scriptures it is there noted:

1. That these promises of not failing in Truth, are made to the Church, or to Christians, not hypothetically only (as some would have it) if they shall not fail to do their duty; but absolutely, that there shall always continue a Church, or a Christianity in being, that shall not fail to hold the Truth, and do their duty.

2. That these promises are made absolutely, not only to Christians taken in general, some or other of them; Sheep, or Shepherds; Laity, or Clergy; as some would have it: but particularly to the Clergy, the Pastors of these Sheep, and the Guides of this Church.

3. To these, not of some of one Age, those of the First, or Third, or Fourth, or Second, as some would limit; but those of all Ages, *usque ad consummationem seculi.*

§. 47. 4. To these, *i. e.* not to some or other of them, still whom we please to adhere to; to some small number of inferior Clergy in some part or other of the world, either dispers'd through several, or united in one particular Church, either departing from, or ejected by all the rest of the Clergy of the same, or of other Churches

Churches (in which a few ſtraglers would fain verifie our Saviour's promiſes, when they pronounce all the reſt erroneous,) but to that Clergy, which the Church ought to take for her Guide. Which Guide, when as this Spiritual Court conſiſts not of one, but many perſons, when ever there is any diſagreement therein, muſt be the major part; and, when as there is alſo an eſtabliſhed ſubordination of theſe perſons and courts; muſt be the ſuperior rather than the inferior perſons, and the more univerſal and comprehenſive Synods, rather than thoſe Synods which are of a leſs circuit, and ſmaller company; otherwiſe any Heretick, if a Clergy-man, may be entertained for a guide: and whenas our Saviour has enjoined the people to obey their guides, yet hath this people no means to know who theſe are, unleſs when all the Clergy of the Univerſe are of one opinion. Now he that appoints us to follow a Guide in what he ſhall enjoin us, and then leaves us no way (when our Guide conſiſts not of one but many perſons, and two parties of them contradict one another) to know which of them is to be our Guide; it is all one, as if he left us no Guide: And he that ties us, beſide the uſe of our own judgment, to obey and follow ſome Eccleſiaſtical perſon or other only, not obliging to the moſt or major part, to a ſuperior more than inferior perſon or Court, revolves our obedience only to our own judgment; *i.e.* to chuſe that ſide which we judge the righteſt, as we follow the counſel of that friend, who we do think ſpeaketh moſt reaſon, without acknowledging any obedience to his authority, and then left to this choice; what opinion can we take up ſo abſurd, in which we cannot find ſome Clergy-man or other for a Leader? Of theſe four Obſervations ſee what is more largely diſcourſed in *Church-government*, *Par.* 2. from §. 26. to 29.

§. 48. 5*ly*. From the same texts another thing is clear, That this Guiding Clergy shall for ever be unfailable or infallible, either in all truths whatever, (I mean Theological, and Spiritual, any way respecting mens salvation, which truths they shall think meet to be determined) or at least in all such truths as are absolutely necessary to salvation; else this Pillar of Truth is cracked and shivered, the Keys of Heaven Gates are lost, and the gates and power of Hell prevail, the assistance of Jesus and of the Holy Spirit ineffectual; lastly, the Church, Name and Thing, and Salvation it self perished. I mean as to this Clergy, if Truth necessary to Salvation be not to be found with them; and if the skirts of the Promise of the Holy Spirit, teaching them all things, cannot be spread so far as to secure them of being taught so much Truth as is but absolutely necessary.

§. 49. But then 6*ly*, These Church-guides, to avoid such ill consequences, being made the unfailing Repository of all Truth absolutely necessary to Salvation, will it not also after this be reasonably deduced, that they are so too for all other truths that are so far necessary, as that the error contrary to them some way hazards salvation, or by some consequence overthroweth any absolutely necessary truth? I say, may not this also reasonably be concluded for these Reasons? 1. Because we find no restriction of our Saviour's promise of assistance, only for these absolutely necessary fundamentals; and there must be granted need of this his assistance further, so long as there is granted further danger. 2. Because if we confine the non-failing guidance of these Church-guides only to absolute necessaries, this will not extend so far as the points of the three Creeds, a very few Articles of which are by the Learned thought Truths absolutely

ſolutely neceſſary. 3. Becauſe thoſe of the Church-Doctors will not conſent to an univerſal inerrability of theſe Church-guides, but reſtrain it only to ſome truths; whereas the Scriptures make no limitation, but do it on ſuch pretences as theſe. 1. Becauſe thoſe wherein they ſay theſe may err, are by-and unneceſſary truths, to which the Churches curioſity or weakneſs may carry her beyond her Rule. See Biſhop *Laud*, § 21. *n.* 5. 2*ly*. Becauſe they are unprofitable curioſities and unneceſſary ſubtilities, for which the Promiſe was not made; becauſe *Deus non abundat in ſuperfluis*. Becauſe they are ſuch points as may be variouſly held and diſputed, without hurt or prejudice to faith. See Dr. *Potter* § 5. *p.* 150. &c. 3*ly*. So then in all dangerous points, as well as in abſolutely neceſſary, the Divine aſſiſtance and the Church-guides infallibility I hope will be ſtill allowed. 2*ly*. They ſay, the Church errs not in abſolutely Fundamentals, becauſe the Word of God in all ſuch points is ſo plainly and manifeſtly delivered unto Her, that it is not poſſible that ſhe ſhould univerſally fall from it, or teach againſt it. See Biſhop *Laud*, § 21. *n.* 5. But then there ſeems alſo to be good reaſon, why other points dangerous to ſalvation, or undermining fundamentals, ſhould be delivered clearly in the ſame Word of God; or if not clearly, there is the more reaſon ſtill, that the Churches-guides ſhould be infallibly aſſiſted in theſe, which both are dangerous, and the Churches Rule (the Scriptures) in them obſcure. See more of this in *Ch. Government*, 2. *part* § 32.

7. If theſe Church-guides have at leaſt a Promiſe to be infallible in Neceſſaries, this again (ſetting aſide now thoſe forementioned texts which enjoin it) will infer the obedience of Aſſent, at leaſt to ſome of their deciſions, § 50.

namely thoſe made in Neceſſaries; for who can deny aſſent to a granted infallible Proponent? And if aſſent muſt be granted to them in neceſſaries, then, as Mr. *Chillingworth* moſt acutely obſerved, to all that they ſhall judge a Neceſſary. ["If (*ſaith he, p.* 150.) the 'Church be an infallible Director in Fundamentals, then 'muſt we not only learn fundamentals of Her, but alſo 'learn of Her what is fundamental, and take for funda-'mental which ſhe believes to be ſuch: In performance 'whereof (*ſaith he*) if I knew any one Church to be in-'fallible, I would quickly be of that Church.] This will hold at leaſt for ſo many of Chriſtians, as will not pretend the skill themſelves of ſeparating neceſſaries, and not-neceſſaries. And theſe Church-guides judging what is neceſſary, eſpecially if they take it in ſuch a larger ſence as we have ſhewed but now, that they have reaſon to preſume of our Saviour's aſſiſtance therein, then perhaps ſo many of their deciſions will receive from them the denomination of Neceſſary, as that we ſhall not think meet, whilſt aſſenting to all theſe, to diſſent from them in the reſt. But however, if we yeild aſſent to all theſe, good reaſon there is why we ſhould alſo in all the reſt, (abſtracting from matters of fact, and matters not Spiritual) only putting in this exception, unleſs any happen to be infallibly certain of the contrary to what they decide, (for whoſoever is ſo, I grant cannot yeild aſſent;) but how any one ſhould be ſo, (debarring new revelations, and his having any Divine evidence which the Church-guides have not as well as He,) I do not ſee; eſpecially when alſo having propoſed to theſe Church-guides all the reaſons and grounds of his infallible certainty, yet he hath not made them ſo.

But

But if any one be ſo infallibly certain, yet I ſay all the reſt of Chriſtians, who have not attain'd ſuch certainty, have good reaſon to yeild aſſent to theſe Church-Guides alſo in all their Deciſions, even touching non-neceſſaries: §. 51.

1. Seeing that (if I may transfer the Apoſtle's argument, 1 Cor. 6. 3. from perſons to things) theſe being ſet over us to regulate our Judgment in the greateſt matters, how can they be conceiv'd unfit to do it in the leſſer?

2. Seeing that by our not-yeilding aſſent to all their Deciſions, even thoſe alſo in non-neceſſaries, ſo long as they have made no diſtinct partition of theſe two, we may incur a peril of with-drawing our aſſent in ſome thing neceſſary; but by aſſenting to all, we are ſure to have a right perſwaſion in all neceſſaries, wherein theſe Guides have a Warrant not to fail; but not ſo, private men undertaking to Guide themſelves.

3. Seeing that in our erring together with our Guides (who are thus alſo to give an account for our errors, *Heb.* 13. 17.) ſo long as it is in non-neceſſaries, our condition is not dangerous; but on the other ſide there may be a great fault in us, in denying due obedience, tho in ſmall matters.

4. Seeing that thoſe who moſt vindicate the liberty of their own judgments, do, to make theſe Guides the more liable to fallibility in non-neceſſaries, plead the Scriptures to be in ſuch points leſs perſpicuous; but on the contrary, this imperſpicuity of them in the Scriptures argues the more need in them of Guides.

5. Seeing that private men have reaſon to preſume, that the Judment of ſo many, ſo learned, ſo ancient, as theſe Eccleſiaſtical Courts uſe to conſiſt of, is, where not

not absolutely infallible, yet much to be preferr'd before their own, *i.e.* that of one single person, or of a few not so learned, not so experienc'd. So Children wisely follow their Parents, and Scholars their Masters, tho fallible, Judgments. Or putting our selves equal every-way, in parts, in learning, *&c.* to all these; yet what help or means have we, or what diligence do we use to discern Truth which these do not? Consult we former Church and Tradition? so do they: And since the Writings of the Fathers, as well as the Divine, are liable to divers constructions and misunderstandings, doubtless their exposition of these, as well as of the Scriptures, is to be preferr'd to private men's. Again, these present Church-Guides, in any opposition or difference from the former Church-Guides, having as high an authority as they, if we pretend to yeild obedience to the one, so we must to the other. Consult we the Holy Scriptures? and what Scriptures have we, which they have not, and which we have not first from them? And what can be clear therein to us, which is not so to them? Or since no place of Scripture, tho never so plain in its terms, may be so understood, as will render it contradictory to any other place, how can such a man be secure enough of his diligence and wit in making such a due collation of Scriptures, and collecting a right sense, where he findeth such a Body to oppose him?

But perhaps these Guides, tho more knowing then he, yet have not like integrity. And what misguiding passions are these subject to in judging, to which our selves are not much more? Or what self-interest do we find in them, but only when we have a contrary our selves? Every one imagines himself to stand in an indifferency to Opinions, when as indeed scarce any; by reason of their education, fortunes, particular depen-

dances,

dances, and relations, is so; and mean-while, like Ecclesiastical persons, he thinks that colour to be in those he looks upon abroad, which is only in himself. I know no greater sign of a dis-interested, and an unpassionate temper of mind, than to be apt readily to submit to another's judgment; and seldom it is, but much self-conceit and spiritual pride do accompany singularity of Opinion. This have I said, to shew what reasons there are for our assent to the Doctrines and Determinations of our Spiritual Guides, drawn from that measure of assistance and infallibility which our Lord hath promised them; tho other Scriptures had laid on us such injunction. Of which subject see what is more largely discours'd in *Obligation of Judgment*, from § 5, to § 9. and *Infallibility, Church Government, Par.* 2. § 35. *Par.* 3. § 27. *n.* 1, *&c.*

And hitherto, from § 41, I have endeavour'd to shew you, in the first place from the Scripture, *That there is a Judg of Controversies appointed and left under the Gospel*; to all whose Decisions the Subjects of the Church ought to be obedient, and acquiesce, as there was formerly under the Law. 2. Next, The same thing is prov'd *from the constant Practice of the Church*, which we must not say to have been mistaken in the just extent of her Authority. § 52.

1. The Church from time to time in her General Councils hath judg'd and decided Controversies as they arose, both in matters Practical and Speculative. In Practicals, enjoining her Subjects, upon Ecclesiastical penalties, not only not to gain-say, but also to do, them; and consequently enjoining them to assent, that such things are lawful to be done. And in Speculatives also enjoining her Subjects, not only not to gain-say her Decisions, but to profess them; and consequently enjoining them

them to assent, that such her Positions are true. For none may profess with his mouth, what he believes not with his heart. Nay, further enjoining her Subjects to believe them; her Language for several of her Determinations and Canons in those her Councils, which all sides allow, being such as this: In her Canons, —*Si quis non confitetur*, —*non profitetur*, —*non credit*, (putting several of her Determinations in the Creeds). And in her Decisions, —*constanter tenendum*, —*firma fide credendum*. —*Nemo salva fide dubitare debet*,— and the like. If it be said, that such assent is requir'd by the Church, or her Councils, only to some, not all their Decisions: I answer, that I contend not, that you are to yeild your assent by vertue of Obedience (whatever you ought to do in prudence) where they do not require it. Only let it be granted, that it belongs to them, not you, to judg what, or how many points it is meet for them to require, and for you to give your assent. And let no such limitation as this be annex'd to their Authority. That they require assent to what is true, or to what is agreeable to God's word (not in theirs, but) in his Opinion whose assent is required. For thus their Authority is annihilated to this. That they may only require me to assent to that, whatsoever I do assent to. Do what I will, or they make me.

§. 53. Again; The Church hath from time to time in her Councils (according to the Authority given her, see before, §43,45.) excommunicated men for holding false and pernicious Opinions; hath Anathematiz'd and declar'd Hereticks, the *non-confitentes*, and the *non-credentes* in such main points as she thought necessary to be believ'd. Which infers, either sin in dissenting from her Judgment, and the Doctrines she defines; or that she faultily

faultily excommunicates any on this account; or that ſhe may lawfully puniſh another for that which the other lawfully doth. But if there be any Church that teacheth; That every one may examine her Doctrines, and where he judgeth or thinketh theſe contrary to Scriptures, that there he is not obliged to yeild his aſſent; the ſame Church cannot juſtly excommunicate ſuch perſon for diſſenting; *i.e.* for doing that which ſhe teacheth him he may do. And then, ſince all that diſſent from the Church will pretend, that the Church-Doctrines ſeem to them to be contrary to the Scriptures, it follows, ſuch Church can juſtly excommunicate none at all for any Heretical or falſe Tenent whatever. See more of this ſubject in *Church-Government, Par* 2. § 34. and *Par.* 3. § 29.—*Obligation of Judgment,* § 3, *&c.*

3. The ſame Obligation of Aſſent is prov'd from the practice of the Reform'd Churches alſo, as well as others; and they as rigid in requiring it, as the reſt; and particularly this our Church of *England*, as will eaſily appear to you, if you pleaſe to view the 139, 140, 4, 5, 73, 12, 36, of the Synod held under King *James* 1603, and the 3, 4, 5, and the Oath in the 6th Canon of the Synod under King *Charles* I. and what is argued from them in *Church-Government, Par.* 3. § 29, *&c.* and after all theſe, to view the Act of Parliament 13 *Eliz. cap.* 12. requiring Aſſent to the XXXIX Articles; and the Title alſo prefix'd to them, which ſaith, *That theſe Articles were drawn up for the avoiding of diverſities of Opinions, and the eſtabliſhing of Conſent touching true Religion.* If Subſcription then to them doth not extend to Conſent to the truth of them, the end is fruſtrated for which they were compoſed. Laſtly, If you pleaſe to view the Complaint for this cauſe, of the *Presbyterians* in their § 54.

Reaſons ſhewing neceſſity of Reformation, printed 1660. See *Church-Government*, *Par.* 3. § 29. againſt the Canons and Articles of the Church of *England*, as the Church of *England* doth for the ſame cauſe againſt the Canons and Articles of the Church of *Rome*.

§ 55. Now from all that hath been ſaid from § 4, and more eſpecially from § 41, you may perceive a great difference between the Obedience which we owe to Secular, and which we owe to Eccleſiaſtical Magiſtrates, as to any matters which relate to the Divine Law. To the Secular Magiſtrate we owe in theſe matters an active obedience with ſome limitation, *in omnibus licitis & honeſtis*, or the like; *licitis*, I mean *lege divina*. But if we have any doubt concerning this, we are to repair from him, not to our own judgment, but to the Spiritual Magiſtrates; and according as they ſhall declare the lawfulneſs or unlawfulneſs hereof, we are to yeild, or withdraw, our active obedience to the Civil, neither can this Civil Magiſtrate juſtly puniſh us for not obſerving his Laws, when pronounc'd by the Eccleſiaſtical Magiſtrate oppoſite to the Divine. And in ſuch caſe we may anſwer to them as the Apoſtles (who were then the chief Eccleſiaſtical Judges) twice anſwer'd to the *Sanedrim*, which was then exauthorized, that we ought *to obey God rather than men*. But to the Eccleſiaſtcal Magiſtrate, we owe an obedience advanc'd beyond the former limitation; being not only to do what they command, if it be lawful; or ſubſcribe or ſwear to what they require, if it be true; but to believe that to be lawful or unlawful, that to be truth or error, I ſay in theſe Divine matters, what they tell us is ſo, without repairing, concerning theſe, to any other Judg. We are to yeild the ſame obedience to theſe

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Delegates of Chriſt our Lord touching Divine Laws, as to a Temporal Supreme Legiſlator concerning his own Laws, that are made in things left purely indifferent by the Divine Laws; (The Commands of which Temporal Legiſlators in the foreſaid matters we are to obey not only when we our ſelves judg that they do accord with his Laws, but alſo, when we doubt of the meaning of his Laws, we are to learn their true ſenſe from him: to obey him in all his Laws, and to know from him what are his Laws.) For as he or his Delegates have authority to determine Controverſies concerning the Secular Laws, to put an end to contentions; ſo have I ſhew'd the Church-Magiſtrates to have, to determine Controverſies concerning the Divine Laws.

§. 56. Againſt this ſo abſolute Obedience and Submiſſion of Judgment to the Church-Governors under the Goſpel, there are ſeveral Scriptures urg'd, and neceſſary to be explain'd before we proceed further; which Scriptures ſeem to licence all men, leſt perhaps they ſhould be miſguided, to try, and that by the ſame Scriptures, their Teachers Doctrines; that ſo, if not finding their Doctrine according with theſe Scriptures, they may ſo far withhold their aſſent to them.

For this are urg'd, firſt, *Joh.* 5. 39. *Search the Scriptures, for in them ye think ye have eternal life, and they teſtifie of me.* 2*ly. Act.* 5. 17. 11. *Theſe* [the *Bereans*] *were more noble than thoſe in Theſſalonica, in that they receiv'd the word* [that *Paul* preach'd to them] *with all readineſs of mind, and ſearch'd the Scriptures daily, whether thoſe things were ſo.* 3*ly.* 1 *Cor.* 10. 15. *I ſpeak as to wiſe men, Judg ye what I ſay.* 4*ly.* 1 *Joh* 4. 1. *Try the Spirits, whether they be of God.* 5*ly.* 1 *Theſ.* 5. 21. *Prove*

all things; hold faſt that which is good. 6*ly. Gal.* 1. 8,9. *Though we, or an Angel from Heaven, preach any other Goſpel to you, then that which we have preach'd unto you, let him be accurſed.* To which Texts is added, the utter uſeleſneſs, as to Spiritual matters, of private Judgment in ſuch an univerſal ſubmiſſion requir'd to a Judg.

§. 57. In Anſwer to theſe Texts: Firſt, it is to be noted in general; That trial of Doctrines by Scriptures, is either of the Doctrines of private Teachers, made by the Church-Governors; of which trial no queſtion is made. Or, of the Doctrines of private Teachers made by private men: And theſe alſo they may try by the Scriptures; ſo that they guide themſelves (leſt our trial be miſtaken), in the ſenſe of theſe Scriptures, according to the Expoſition thereof by the Church, *i.e.* in her General Councils, or in the moſt unanimous conſent of thoſe whom our Saviour, departing, left to be the Guides, of the Church, and Expoſitors of the Scriptures. And if thus ſearching, we find the Doctrines of our Teachers contrary to the Scriptures ſo expounded, we may and ought to with-draw our belief from them. Or this trial, 3*ly*, by Scriptures, is of the doctrines of the Church, *i.e.* of thoſe doctrines which are deliver'd, not by a private Teacher, but by a general conſent of the Church-guides (at leaſt the fulleſt that we can diſcover). Or by General, or other Superior, Councils; or by the Apoſtles; or by our Saviour himſelf.

1. Now the allowance of ſuch a trial may be underſtood in two ſenſes: 1. Either in this ſenſe; Search or try my, or our, Doctrine by the Scriptures, for you will ſurely find my Doctrine agreeing thereunto, if you do ſearch right, and as you ought; and in this ſenſe, the trial, by the Scriptures, of the Doctrines of the Church,

Church, nay of the Apoſtles, (S. *Paul's* by the *Bereans*,) nay of Chriſt himſelf, Whether the Old Teſtament, as he urged, teſtified of him, is both allowed, and recommended; for ſince there is no difference of the teaching of Chriſt, or of S. *Paul*, or of the Church, from the teaching of the Scripture, the one will never fear, but freely appeal to a trial by the other, if it be rightly made.

2. Or 2*ly*, it may be underſtood in this ſence: 'Search §. 58.
'and try my Doctrine by the Scriptures; and if you in
'the ſearch do not perceive it agreeable unto them, I
'declare that you have no reaſon to believe, or that you
'are excuſable in rejecting my Doctrine. Now in this ſence our *Saviour*, or St. *Paul*, or the other Scriptures, never recommended private mens ſearching, or gave any ſuch priviledge to it, unleſs you put this clauſe, that they have ſearched aright. But if you put in this clauſe; then is the ſearcher, after his ſearching, not yet at liberty to disbelieve the Apoſtles or the Churches doctrine, till he is ſure firſt that he hath ſearched aright. I ſay our Saviour or the Scriptures cannot recommend Searching in ſuch a ſence, or upon ſuch conditions.

1. Firſt, becauſe ſuch a Searcher or Tryer by the §. 59.
Scriptures there may be, as is prejudiced by paſſion, or intereſt, or miſeducation, or as ſearcheth negligently, and coldly; or as hath not a ſufficient capacity to underſtand the Scriptures he ſearcheth, when perhaps it is in ſome difficult point, wherein they are not ſo clear, as if he ſhould ſearch the text of the Old Teſtament in the point delivered by St. *Paul*, of the abrogating of Circumciſion under the Goſpel; neither can any body be ſecure of his diſ-engagement from all ſuch letts of uſing a right judgment in ſearching. 2. Be-

§. 60. 2. Becauſe however the Search or the Searcher prove, there are other means and *media*, by which is proved to men the truth of ſuch doctrines, and by which not bearing witneſs to a falſity, one may diſcover himſelf to have made his ſearch of Scripture amiſs, ſo often as he thinks it to contradict them. *Such* ***mediums*** are, Miracles, and other mighty operations done by the power of the Holy Ghoſt; upon which our *Saviour* (*Jo.* 5.36. and elſewhere,) and *S. Paul*, (*Rom.* 15. 19. 2 *Cor.* 12.12. 1 *Cor.* 2.4. *Mark* 6. 20.) required belief and ſubmiſſion to their doctrine, and univerſal Tradition; upon which the Church alſo requireth belief to the *Scriptures*; the ſame Tradition that delivered the *Scriptures*, delivering alſo ſuch doctrines and expoſitions of *Scriptures* as are found in the Church. *So* that a Phariſee ſearching and not finding in *Scriptures* (by reaſon indeed that he ſearched them not aright) ſuch teſtimony of Jeſus being the Meſſias as was pretended, yet ought to have bin convinced, and to have believed his doctrines from ſeeing his miracles; and from hence alſo to have blamed his faulty ſearch. *So* a *Berean*, ſearching and not finding in *Scripture* ſuch evidence of *S. Paul's* doctrine, ſuppoſe of the abrogation of the Judaical Law by Chriſt, as was pretended; yet ought to have believed it from the mighty works he ſaw done by *S. Paul*, or from the authority he, or the Council at *Jeruſalem* (*Act.* 15.) received from Jeſus, working Miracles, and raiſed from the Dead, as univerſal Tradition teſtified. And the ſame may be ſaid for the Churches Doctrines.

And therefore as there are ſome *Scriptures*, that bid us *ſearch the Scriptures*, becauſe if we do this aright we ſhall never find them to diſagree from the Doctrines of the

the Church; and beauſe ſome doctrines of the Church are alſo in the Scripture very evident: ſo there are other *Scriptures* (if thoſe who are ſo ready to ſearch them on other, would ſearch them alſo on this point,) that bids us *hear the Church*; becauſe our ſearching of *Scriptures* is liable ſometimes to be miſtaken, and becauſe in ſome things the *Scriptures* may ſeem difficult; In which caſe God having referred us to the judgment of thoſe whom he hath appointed to be the expounders thereof, (*Deut.* 17.8, 9,10. *Matt.* 18.17. *Luk.*10.16) cannot remit us again to the ſame *Scriptures*, to try whether their expoſitions be right. Therefore that Text *Gal.* 1. 8,9. is far from any ſuch meaning; If the Church or Churchmen ſhall *teach you any thing contrary to the Scriptures*, as you underſtand them, *let theſe be Anathema* to you; but rather it ſaith this; *If an Angel*, or I Apoſtatizing, (as ſome ſhall, *Act.* 20. 30.) *ſhall teach any thing contrary to the doctrines ye have received*, that is, from the Church, *let him* &c. which makes not againſt, but for the Churches Authority very much.

To the former Texts, then, mentioned § 56. this briefly may be returned. To the three firſt Texts; That a *ſearch* of *Scriptures* concerning our Lord's or his Apoſtles doctrines, is both allowed, and recommended, becauſe the Scriptures, rightly underſtood, and theſe doctrines, perfectly agree. But a diſſent from theſe doctrines, if upon a ſearch thought to be diſagreeing, which the Objectors would infer, is not allowed from the reaſons formerly given. In the fourth Text, the Apoſtle ſpeaks of private *Spirits* to be tried, whether of God, by their conformity to the common doctrines of the *Scripture*, and of the Church. See 1 *Cor.* 14.29,32. The 5*th* includes a general trial, as well by the direc- § 61.

tions

ctions and expoſitions of the Spiritual Guides, as dictates of the Scriptures the Rule. The *6th* is expounded before, *If an Angel ſhall teach you any thing contrary to the doctrine you have received* from Chriſt's Miniſters, or from the Church confirmed with Miracles, *let him be Anathema.*

§ 62. As for thoſe things which are urged for the failing of the viſible Church, or at leaſt of the major part of the Guides and chief Profeſſors thereof under the Goſpel: As in the Scriptures the Prophecies of our Saviour; *Matt.* 24. 11, 12. —24.38. *Luke* 18. 8. compared with 7. *Luk.* 17, 25,26, 27, &c. —21.35. and of the Apoſtles; 2 *Theſ.* 2. 3. 1 *Jo.* 2.18. 2 *Tim.* 3. 1. 1 *Cor.* 11. 19. 2 *Pet.* 2. 1. &c. *Rev.* 20. *t.* 13.20. 8, 9. and other places, ſpeaking of the power of Antichriſt, and of his ſitting in the Church of God; and in the Church-ſtory, the prevalency of Arrianiſm. In anſwer to the former, the Scriptures: It is granted, that it ſeems in theſe latter times of the world there ſhall be a great falling away from the faith; but that it is from Chriſtianity it ſelf, and from the Church; as indeed we have already ſeen all thoſe flouriſhing Churches of *Aſia*, and other Eaſtern and Southern parts, once Chriſtian, now over-run by the Doctrine of the Great Prophet of God, as he ſtiled himſelf, *Mahomet*; who ſits and triumphs in thoſe ſame places which were once the chiefeſt Churches of God; and the love of many to Chriſt waxen cold by the abounding of iniquity, and the terrible perſecutions of the Turkiſh Empire, the Image of the former Perſecutor, the Heathen Roman Empire, to which Image *Mahomet*'s doctrine hath given life and vigor; and this deceſſion we have ſeen, and what more ſhall be ſeen hereafter, God knoweth. But this argues not that

that Truth shall fail in all or the major part of the Doctors who remain still in the Church, and profession of Christianity, but that the Church it self shall fail of having so great an extent in the world, or her Guides of being so many at some times as at others, yet at all times sufficiently apparent.

Again; In answer to the prevalency of *Arrianism*; it seems that in these later times there shall be a *falling away* too (within the profession of Christianity) *from the faith*, i.e. from that faith which is orthodox, by many dangerous Heresies and Schisms from time to time arising in the Church, whilst many formerly members of it shall separate from it, 1 *Jo.* 2.19. but shall always apparently be known by their departure from it; but it follows not, that any of these Sects within shall ever have so great, or so long a growth, as to be able to outnumber the Body of the Church, or the true Teachers. Concerning which, many are of opinion, that the Orthodox Communion in all times shall exceed not Infidels; but yet any other Sect (especially of one Communion as it is) professing Christianity, both for the multitude of people, and extent of several Nations. See *Tryal of doctrines* §30,31,&c. and particularly concerning *Arrianism* in 2. *Disc. conc. the Guide in Controversy*, §26. [As for Antichrist, (the story of whom hath given occasion of a contrary fancy, especially amongst the Reformed,) I shall elsewhere, I think, sufficiently clear to you, that he shall profess an Antichristianity, and oppose the Gospel in general]. or if, at some time, such Sect shall out-number the Church it self, yet, as was said before, it shall stand in an external Communion separate from the Church, and also formerly expelled by the Church, when these did not outnumber it; and tho afterwards §63.

theſe ſhall grow never ſo numerous, yet the remnant of Orthodox Believers, how ſmall ſoever, continuing in the ſame body, will not ceaſe to be truly and only Catholick without them: neither have theſe any right, or will be permitted, to vote in her Councils; which Councils to be truly General need to be no larger than the Church Catholick is; of which declared Hereticks are no part. And thus the Church ſhall ſtill be to the end of the world a City upon a Hill, and united within it ſelf, even in its greateſt perſecutions conſpicuous to thoſe who ſincerely bend their courſe to it. Again, it ſeems, that near the time of the worlds diſſolution, from this total Apoſtacy (through great perſecutions) from the faith in ſome, and from the ſound doctrines of the Orthodox faith in others, (becauſe both falſe Religions, and ſuch Heretical doctrines, as the Apoſtles ſpeak, do all tend ſome way or other to vitiouſneſs of life, to libertiniſm, and indulgements of the fleſh. See 2 *Pet.* 2. 3, 10, 18, 19. *Phil.* 3. 18, 19. 1 *Tim.* 6. 5. 2 *Tim.* 3. 2, 7. &c. ſee *Trial of Doctrines* §. 32.) there ſhall abound very great wickedneſs, and much ſecurity amongſt the then heavy oppreſſors of God's Church, much what like to the days of *Noah* and of *Lot*, when God ſhall come upon them unexpectedly to judgment. But this is no failing of the Church, which ſhall then remain an Holy City, at unity in it ſelf: ſee *Rev.* 20. 9. And if alſo within the Church it ſelf the vitious ſhall out-number the pious, neither is this any prejudice to the truth of the Churches doctrines, ſince the ſame thing happens leſs or more in all ages that the wicked here-in are more than the good; as St. *Auſtin* hath taken notice and much pains to prove to the *Donatiſts*, urging ſome of the former texts. *De unitate Eccleſiæ* 12. & 13. *c.*

Thus

Thus much of the firſt head, propoſed before § 1. *viz.* The Clergies being delegated (by our Lord departing hence) the infallible preſervers of all Truth and Neceſſary faith, and ſupreme Judges in all controverſies ariſing therein. Now to proceed to the *2d.* § 64.

Next, this Authority (to ſecure it for ever from any decay or interruption thereof) is given them to the end of the world, without dependance on any ſave the Lord Jeſus; they being Embaſſadors of ſalvation from the King of Kings to all Nations, and ſo to be every where free from all violation. For which there is the greateſt reaſon; ſince their conſtitutions are ſuch as cannot do the leaſt wrong, or hurt to any ſecular dominion, nay brings great ſecurity to it, and ſince this their Miniſtery (becauſe without a *Sword* can be no Government, or Diſcipline) comes armed only with a *Spiritual* ſword, and not a Temporal; and laſtly, ſince Chriſtianity (the Doctrine they plant) gives no man any priviledge, intereſt, or advantage by it, in this world, or for Secular matters: but maintains every Kingdom and State in the ſame condition wherein it finds it; and only obligeth men to *pray always* for ſuch State, (1 *Tim.* 2. 2.) and *to yeild* all ſtrict *obedience* to it, (*Rom.* 13. 1. 1 *Pet.* 2. 13.); and, upon no pretence of maintaining Religion, to uſe, or to adviſe to uſe the material Sword, or any otherwiſe to defend the truth, than 1. by *confeſſing* it, [1. in practiſing its Precepts at all times; (among which, yet, one neceſſary one is publick aſſembling together to worſhip God *&c.* —*Eccleſiaſticos cœtus humanis legibus interdictos ob divinum præceptum Chriſtiani intermittere non poſſunt.* Grot. *ſum. Imp. circa ſacra.*)] and 2ly, by *ſuffering* for it. The Chriſtian profeſſion therefore never troubles the Civil peace, (which cannot be broken

but by Arms); and therefore whatſoever diſturbs the civil peace may be *lawfully puniſhed* on any perſon whatſoever by the temporal Sovereign power, for it is not the Chriſtian profeſſion; [I ſay *lawfully puniſhed*, unleſs in reſpect of ſome perſons, ſuch temporal Magiſtrate make over this power to another; which thing doubtleſs may be lawfully done, if, for example, the Prince ſhall not think it ſo decent, *&c*, that he ſhould ſit in Judgment, and inflict corporal puniſhment upon a Biſhop, his Spiritual Father, by whom he is to be guided, and corrected, and (if need be) cenſured, and Spiritually puniſhed, concerning greater matters ſee 1 *Cor.* 6. 3. Or, That the Prieſt one day ſhould ſummon the Civil Magiſtrate to his Tribunal; the next, the Magiſtrate Him; or upon other reaſons. And perhaps, This remitting of the Trial of Clergy-men, even in Civil matters, to their Spiritual Superiors; ſo that the Secular power only uſeth the Temporal ſword upon them, when the other deliver them up to it, as it may preſerve more reverence in the people toward the Miniſtry, ſo may it conduce to a more ſevere animadverſion (from ſuch Judges, ſuppoſing the Fathers of the Church to be of that ſanctity and integrity which they do profeſs) upon ſuch Malefactors, than any other way could. And (whether it was upon theſe, or ſome other motives) tis plain, that ſuch Conceſſions by ſeveral Emperors, and Princes, have bin made to the Church.]

§ 65. And the Judgment alſo, when ſuch diſturbance is, ſhall belong to his, not to the Eccleſiaſtical, Tribunal. So *Solomon* confin'd *Abiathar* the High-Prieſt, (1 *Kin.* 2. 26, 27, compar'd with *ch.* 4. *v.* 4.) whom, had he pleas'd, he might alſo have put to death, (ſee 1 *King.* 2. 26, 27.) not for Error, but for Rebellion; not, that the

the King may meddle, or hath any power or Juriſdiction, in Eccleſiaſtical affairs, over, or in oppoſition to, the Prieſt, (to do any thing, ſave the aſſiſting the Spiritual Sword with his Temporal; and the uſing his Civil power for the ſervice of the Church.) See *Calv. Inſtit. l.* 4. *c.* 11. *ſ.* 15. (For the Prieſt having lawful power to excommunicate the Civil Magiſtrate for Heretical Opinions, How can again the Civil Magiſtrate have a lawful power, for the ſame cauſe, to depoſe the Prieſt?) But, over Eccleſiaſtical perſons, medling, without his leave, and beyond their Lord's Commiſſion, in affairs Temporal. But then, if the Secular power, in his taking care of the Commonwealth's ſafety, is pleas'd to Decree the Church's Religious Aſſemblies (either for worſhipping God, or compoſing Laws for the Church) to be *Conſpiracy*; or make their Preaching, or coming within his Territories, *Treaſon*; only becauſe they poſſibly may, (for how can any be ſent by Chriſt, to whom this may not be objected?) not becauſe it is proved, that they do any hurt to it; or provoked by ſome particular perſons, who tranſgreſſing their Commiſſion from Chriſt, do ſome acts, or hold ſome opinions, prejudicial to the ſafety thereof, ſhould therefore condemn and execute all others of the ſame Order, againſt whom the ſame fault cannot be prov'd, and who abjure ſuch horrid Tenents; ſhould he interpret any their medling with his Subjects, (whom our Saviour ſends unarm'd, like Lambs among Wolves), to be ſubverting of his State; and their Spiritual Sword inconſiſtent with, or fruſtrating his Temporal, he now uſurps upon our Saviour's Authority. and they muſt go on, through all his Torments, by way of the Croſs (which ſhall certainly conquer at laſt), not of the Sword, (with which thoſe Miniſters ſhall periſh that take.

take it up, *Mat.* 26. 52. againſt thoſe powers to which only it is committed, *Rom.* 13. 14.) to do their Office; with that anſwer to him, *Act.* 4. 19. And he muſt give account to the ſame King of Kings for killing his Subjects, in their obeying their Lords commands; who ſent them to all Nations, without asking any man's leave; as they could not (in doing their duty) poſſibly wrong any man's right.

§. 66. [And if any here argue; That a Spiritual Supremacy thus deſcrib'd, cannot conſiſt with another Temporal; but that one will ruine the other, and probably the Eccleſiaſtical denouncing eternal torments, the Civil, threatning death temporal; experience is enough to confute him, which hath long ſhew'd the contrary. Thoſe Kingdoms where theſe two Scepters are ſet up, having flouriſh'd (I mean for any occaſion of diſturbance or war ariſing from the oppoſition of theſe two powers) in long peace and proſperity; whilſt others, where one of them hath been beaten down, have either ever ſince been miſerably afflicted with Civil Wars (I mean about Religion unſetled) or quite over-turned. 1. Partly by reaſon, that every one gives not the ſpoils of the Church's ruin'd power (I mean the judging and deciding ſpiritual matters) to another (the Civil Magiſtrate), but takes them to himſelf. And ſecondly, partly, becauſe one main doctrine of the Spiritual power, (which hath moſt command over men's conſciences) [Namely this, that reſiſtance (in any things by Arms) to the Temporal power is unlawful] is faln together with that power. And thirdly, perhaps partly I may add, becauſe, that where the Church-Authority is cruſh'd, Religion and Goodneſs in general withers and decays; and conſequently with theſe, Allegiance and Fide-

Fidelity; That which makes good men, making good Subjects. 4*ly*, And again, becauſe, That where any takes away another's right, both Divine Juſtice ſentences him to looſe his own, and his Example teaches others to invade it].

Hence it is, That theſe Subſtitutes of Chriſt (as himſelf being under *Herod's* juriſdiction, yet was hindred by no threats for exerciſing the commiſſion of his Father in his Dominions, *Luke* 13.31,32.) did exerciſe their Authority as much as ever, and that for ſome hundreds of years, even when all the temporal Magiſtrates and their Sovereigns oppoſed it, (for then they were ſuſtained unarmed, againſt all force by the power of the King of Kings, JESUS, and ſo ſhall be, till his ſecond coming,) in which time we find they had their Publick Aſſemblies for God's Worſhip; revenged by Excommunications and Penance all diſobedience; called Councils, for enacting Eccleſiaſtical Canons and Laws; [which therefore it is not abſolutely neceſſary (very convenient, I grant) that the Secular power ſhould either call, or aſſiſt; neither may he annull them, or any part thereof, if purely concerning Eccleſiaſtical affairs; but as a member alſo himſelf of the Church, ought to become ſubject unto them, and, as a Prince, to maintain them. And hence it ſeems to follow, That no Prince can lawfully abrogate the Authority of Patriarchs (ſuppoſing it only founded on Eccleſiaſtical Conſtitutions) over thoſe, who are the Churches, as well as His, Subjects, no more then he can any other Eccleſiaſtical Decrees.] Again, in which times we alſo find, that as faſt as any ſuffer'd by perſecutions, in their places they ordained others, multiplied by their ſlaughters; and ordained them, without any order or nomi- §. 67.

nation

nation from the civil power; who for ever, neither can himself, neither can cause them to lay hands on any, but whom they approve, nor to be partakers by this of other mens sins or errors. 1 *Tim.* 5.22.

§ 68. And all this they did without the Emperour's leave, nay contrary (many times) to their Edicts. Now what Authority they had before, amidst the oppositions of Secular power, they cannot lose it, nor any part of it since, by this Powers submitting it self unto Christ's Scepter, and to the Church. Greater then this Church-authority might be made, many ways, by Princes: by granting the Church (now) some temporal priviledges; by making the Acts of the Church their Law also; and by enforcing it on all their Subjects (as well Clergy as Laiety) with corporal punishments and the temporal sword, further than the other could singly with his Spiritual; which yet (experience shews) was able alone both to preserve order and discipline amongst its Subjects. With the *temporal sword*, I say; which tho the Clergy may not use in the behalf of Religion, yet (He that hath it committed to him *Rom.* 13.4.) the Civil Magistrate, as a Son of the Church, and the Servant of Christ, upon his own subjects may, and ought, to use that weapon, in maintaining of Christ's Laws, which he may in defence of his own; as who also may make Christ's Laws his own. Hence *Calvin*, (*Instit.* 4 *l.* 11. *c.* 16. *sect.*) speaking of the Primitive Governours of the Church; —*Non improbabant* (saith he) *si quando suam authoritatem interponerent Principes in rebus Ecclesiasticis; modo conservando Ecclesiæ ordini, non turbando; disciplinæ stabiliendæ, non dissolvendæ*, [of which, I suppose, the Spiritual Governors, not the Princes, were to judge,] *hoc fieret. Nam cum Ecclesia cogendi non habet* pote-

poteſtatem &c, *Principum partes ſunt legibus, edictis, judiciis, religionem ſuſtinere.* But theſe Princes may do only according to the Prieſts directions.

Therefore all the eſtabliſhing and reſtoring of Religion by the Kings of *Judah*, (from whoſe having power in advancing Religion tis ſtrange to ſee, how ſome argue their having the ſole power,) were only by, and in aſſiſtance of, the Prieſt, never againſt him, and they commanded often the Prieſts to perform, what the Prieſts together with them conſented to be their duty. *See* 2 *Chr.* 29.4,11. &c. —17.6,8. —24. 6. —26.17. —19. 8,10. —13. 9. —34.5,9,14. —*Ezra* 1.5. —3. 2. 1 *Chr.* 25. 1. compared with 24.31. (ſee *Deodat.*) 2 *King.* 23.5. —2 *Chr.* 35. 10,18. And ſee *Deut.* 17. 18, 19. the end of the Kings having a copy of the Law allowed him, but another end of the Prieſts having the cuſtody of it, *Deut.* 17. 9. and 2 *Chr.* 19. 8. But no where can we find that they decided controverſies againſt the Prieſts; or, that the ſucceſſion of Prieſts maintaining a falſe Religion, the King againſt them vindicated the true; or in their ſtead, becauſe erroneous, appointed, and made new Prieſts; becauſe indeed the Succeſſion of Prieſts never apoſtatized from the whole body of true Religion, nor ever ſhall; but ſhould they, yet why not the Prince rather? and whom then finally is it fit to rely on for Religion? But for thoſe parts of true Religion, wherein the Clergy was defective, (as it happened under the later Kings of *Judah*, and in the times of our Saviour, they were reformeable only by extraordinary Prophets ſent from God; whom in all times the people lawfully conſulted, and repaired to, for judgment, as they did to the Prieſts, (ſee before) but neither people nor Princes reformed Prieſts upon this pretence; and therefore thoſe Texts, wherein the Prophets blame the errors of the

Prieſts, do no way warrant the Laities reforming them, leſt ſo the errors of the ſecond be worſe than that of the firſt. See this ſpoken of more at large before. But for a falſe Religion, we find this done in wicked *Jeroboam*; and conſequently, we read of his making for his new Religion alſo new Prieſts.

§. 69. Thus I ſay, the Temporal authority may much advance and further the Spiritual; but no Secular power hath the leaſt authority in Spiritual matters to act contrary to thoſe who are Miniſters of Chriſt's power; and unreaſonable it is to think, that he may do more againſt them, who is part of their flock, than the Heathen Princes might do, who had no relation; and if Chriſtianity entring into any country changeth not any laws thereof, but confirms all obedience thereto, then neither may the civil Government admitted into Chriſtianity abridge any of its priviledges; which priviledges may as well ſubſiſt with a Chriſtian Sovereignty, as they have done with a Heathen. But if they offer any violence unto it, the Church, to whom (not to them) God hath committed his flock, may, and ought, (as it alſo often hath with the weapons Chriſt hath given her) to oppoſe them, and tho not to fight, yet to ſpeak, to profeſs, to ſuffer, and die, for the cauſe. See the oppoſition the Prieſts made to *Uzziah*, (generally a good Prince, 2 *Chron.* 26. 18.) and that of *Athanaſius*, and *Alexander*, Biſhops of *Alexandria* and *Conſtantinople*, to *Conſtantine*, requiring the reſtoring of *Arius* Excommunicated; and that of *Ambroſe* to *Theodoſius*. Neither can the Biſhops at any time excuſe their not governing, and defending, and patronizing the flock of Chriſt, under pretence either of the care that Chriſtian Princes their Sovereigns have of it, or enmity they have to it: For either theſe Princes ſecond their authority

thority, and then they have all encouragement to exercise it: or else they oppose and persecute it, and then they are to do no less than their Predecessors did in the Primitive bloody times, (taking up their Cross and following Christ and their Leaders,) which had they not done, Christianity had not descended so far as us; and if these do not the same, it cannot be propagated to posterity. See more of this subject in *Church-government, part.* 1.

Obj. But what if all, or the much greater part of the Clergy run into error, may not the Temporal Magistrate then Reform it? I answer 1. That concerning points or truths necessary to salvation, the Supposition is impossible, until our Saviour shall cancel his promise of their indefectibility in such necessaries. 2*ly.* That for any other Spiritual matters (wherein perhaps they may err,) yet the Temporal Magistrate may not reform: because, he that in Spiritual things is to learn of them what is truth, and what error, can never judge when they err, unless they first tell him so. What, you will say, cannot judge? when as he hath the Holy Scriptures left to demonstrate to him truth and error? I ask, were they left to him alone? or hath he any evidence therefrom, which the Clergy hath not? Or doth the Secular man study them more than they, who make this their employment and trade? Yes: but their eyes are blinded in many things with self-interest, namely in those, which some way concern their own priviledges *&c.* 1. Then in all Doctrines no way advancing the priviledges of the Church, the Prince may not swerve from its judgment. Well it were, if but so much were observed. But 2*ly.* For these matters of interest, it were something that were said, if where the §. 70.

Eccleſiaſtical power were intereſted on the one ſide of the controverſy, the Secular power (which claims right to judge) were not as much on the other; and whatever priviledges were taken from the one, were not devolved upon the other. For example: If *Henry* 8th. and his Lords had took the Supremacy in Church-affairs from the Pope, and not transferred on themſelves, it were ſomething (tho not ſufficient) that were ſaid: but in ſuch concernments men being equal, judge in which we have reaſon to expect the more integrity, that they will not claim more than their due. But 3*ly*. Suppoſe that our Saviour had granted his Church ſome great priviledges, (as ſuch a thing is poſſible); either theſe priviledges by them muſt not be maintained, or ſuch a cavil cannot be prevented. But methinks this is enough to preſerve truth in their ſentence, (who are moſt accounted men of conſcience,) tho in matters concerning themſelves, That by a falſe judgment a greater intereſt hereafter is loſt, than is for the preſent gained.

§. 71. But here obſerve of thoſe, who upon many ſuch-like pretences rob the Church of her Legiſlative power for Spiritual matters, that they cannot place it elſe where (tho they try ſeveral ways); nor yet deny any ſuch power at all, but with great abſurdities, and miſchief ſometime or other to truth and the Chriſtian profeſſion. Some of them beſtow it on the Civil Magiſtrate without limitation, ſo as to oblige all men, without diſputing, to obey, whatever in theſe things he determines; as a Country-man of ours. But this is ſo groſs a tenent, I need ſpend no labour to ſhew the many horrible conſequences thereof. Some again beſtow it upon the ſame ſupreme Magiſtrate, ſo as to oblige men only to obey him (I mean actively) in what they think not con-

contrary to the Divine Laws; and for other things, which they think contrary, not to reſiſt any puniſhment inflicted on them for not obeying actively, *i.e.* in believing and practiſing as that Magiſtrate appoints. Thus *G. Voſſius*, *H. Grotius* (*Jus Imp. circa Sacra*), and ordinarily Proteſtants. *Voſſius* repreſents the matter briefly thus, in an Epiſtle inſerted in *Præſtantium Virorum, Ep.* p. 167. *Synodi falli poſſunt, Magiſtratus non debet iis credere propter ſe; ſed quia conſentiunt cum Scripturis & Canonibus antiquis. Et hæc* [*Synodus*] *et ille errori eſt obnoxius, ſed hoc non impedit, quo minus & Synodi Officium ſit dirigere intellectum in cognitionem veri, tum magiſtratus, imperare, quod rectum eſt & ſalutare.—Quodſi illa dirigit male, non ideo hic imperabit male; & ſi hic imperet malum, non ideo ſubditi parere debent in malo. Sed & Magiſtratus & ſubditus unuſquiſque aget, quod ſui eſſe officii Scriptura, & Eccleſiæ Catholicæ conſenſus, & recta ratio, perſuaſerit* [*i.e.* what Scripture, Church, or Reaſon, ſeems to him to perſwade]. But may the Magiſtrate then puniſh here thoſe that diſobey his commands? Yes, ſaith he,—*Rex & illud imperare debet, quod in verbo juſſit Deus, & pœnarum comminatione obſtringere ad illud ſubditos poteſt, nec in his imperium detrectare cuiquam licet. In his*, if he means which both Prince and Subject are agreed to be God's Word, this is certain. But meanwhile, if the Subject apprehends that contrary to God's Word, which the Magiſtrate ſaith is not, and commands as his Word, here the Subject may and ought to diſobey him. And upon this the queſtion ſtill proceeds: How the Magiſtrate may juſtly puniſh the Subject for not doing a thing, where the Subject alſo may lawfully diſobey, and not do it? One would think, either the Magiſtrate ought to be certain that what he commands is right before he may puniſh any for diſobeying his com-

command; or the Subject ought to be certain that what he commands is not right, before he may diſobey it. But yet neither is the one, or the other, held any certain Judg in theſe matters we ſpeak of. Nor yet do theſe men leave any third perſon, that being ſo, may guide and regulate them. But the one lawfully commands and puniſhes him for that, which the other lawfully diſobeys. Where in effect every one in things Spiritual is finally committed to his own Judgment; whilſt they leave none at all above others, that may ſo decide what is contrary to God's Law, what not, as to conſtrain ſubmiſſion thereto, further than their private judgment concurs. And the only abſolute obligation we have to any of their commands, is to non-reſiſtance of the puniſhment. But then ſuppoſe one thinks this alſo; namely, that we ſhould be bound in all caſes (even where we are innocent, or alſo truly religious) to non-reſiſtance, &c. to be a thing contrary to Scripture, (as there want not many of late who have been ſo perſwaded,) then their commands will oblige ſuch an one in no ſenſe at all, and ſo indeed will be no commands as to ſuch a perſon; for *effectus imperii eſt obligatio:* Laſtly, the authority, theſe men do give to the Church, is (except that which ſhe derives from the Civil power) only *regimen ſuaſorium*, or *declarativum*, and ſo *ſine obligandi jure*. But this is making our obedience to her (if it may be ſo call'd at all) no more than that we give to any other private man, adminiſtring, as we think, good Counſel to us; which is ſufficiently confuted before. Only in all this you may obſerve; That whilſt theſe wary Factors for Truth are afraid to acknowledg ſuch an obedience enjoin'd to the Church, as, to believe that to be the meaning of the Divine Law, or not; to be truth, or error, that ſhe tells them to be ſo, (& then much leſs can allow

allow ſuch an obedience to Secular power,) they in avoiding theſe two, yeild this judgment of what is truth, what is not in theſe matters of higheſt concernment, to be left by God to every one; which expoſeth the Chriſtian world to far more, and groſſer errors, (as daily experience thereof ſheweth), than would in probability either of the other: But yet this pleaſeth, becauſe thus the ſtaters of the queſtion make themſelves alſo Judges. See more of this ſubject in *Ancient Church-Government, &c.*

§ 72. Chriſt therefore, to avoid ſuch confuſion, hath eſtabliſh'd his Church for guiding the World for ever in his truths, upon ſuch firm Laws, and Canonical Orders, that no Civil Authority may be admitted at any time to meddle in ſtating any Church-affairs againſt the major part of the Clergy, and its Governors. And if ſecular Princes anciently in a Council, even when they generally agreed in opinion with the Biſhops, had in Eccleſiaſtical affairs no defining, but only a conſenting, ſuffrage; how come they enabled to define any thing in theſe, when they are againſt the Biſhops. See St. *Ambroſe* his words, (*l.* 2. *ep.* 13. quoted by Dr. *Field*, *l.* 5. *c.* 53.) when he was cited to be judg'd in a matter of Faith by *Valentinian* the Emperor; which conclude it cannot be without uſurpation of that, which no way pertaineth to them, that Princes ſhould at all meddle with the judging of matters of Faith, neither had it been heard of: but on the contrary, that Biſhops might, and had judg'd Emperors in matters of Faith; *Quando* (ſaith he, ſpeaking to *Valentinian*) *audiſti* (*clementiſſime Imperator*) *in cauſa fidei Laicos de Epiſcopo judicaſſe? Ita ergo quadam adulatione curvamur, ut ſacerdotalis juris ſimus immemores; & quod Deus donavit mihi, hoc ipſe aliis*

aliis putem esse credendum? Si docendus est Episcopus a Laicis, quid sequetur? Laicus ergo disputet, & Episcopus audiat; Episcopus discat a Laico. At certe si vel Scripturarum seriem divinarum, vel vetera tempora tractemus, Quis est qui abnuat in causa fidei, in causa inquam fidei Episcopos solere de Imperatoribus Christianis, non Imperatores de Episcopis judicare? Pater tuus [Valen. sen. Imp.] *vir maturioris ævi dicebat: non est meum judicare inter Episcopos, &c.* See the like in *Athanasius* (*Epist. ad solitariam vitam agentes*) *Quando unquam judicium Ecclesiæ ab Imperatore authoritatem habuit?* See many more like testimonies collected by *Champney De Vocatione Minist. c.* 15. And see the Concessions of Bishop *Andrews*, *Resp. ad Apol.* p. 29, & 332. And of *Calvin*, no zealous Vindicator of the Church's Authority, *Inst. l.* 4. *c.* 11. § 15. And of many others cited in *Church-Government*, *Par.* 5. And see more of this matter in *Church-Government*, *Par.* 1.

"And if the Church (to use some of Mr. *Thorndikes* 'words) subsisted before any secular power was Christi-'an; extended beyond the bounds of any one's Domi-'nion, in one visible Society, with equal interest in 'the parts of it, through several Dominions; endow'd 'with such power in Spiritual matters, as is set down 'before, what Title, but Force, can any State have, 'whilst this Body continues to exercise its power, not 'only without, but against it? Dr. *Field* in Answer saith, That such power belongs to the Clergy regularly; but may be devolv'd to Princes in cases of necessity. [In what case?] *i.e.* If the Clergy through malice or ignorance fail, *&c.* That the Prince having charge over Gods people, *&c.* may condemn them, falling into gross errors, contrary to the common sense of Christians; or into Heresie formerly condemn'd (*l.* 5. *c.* 53.) *formerly condemn'd*; "For, saith he, we do not attribute power to a Prince,

or

or Civil state, to judge of things already resolved on in a general Council, [*not not if they err manifestly and intolerably*:] but only to judge in those matters of faith that are resolved on, and that according to former resolutions. From which I gather, That Princes can define nothing against the Clergy, (*i. e.* the more considerable part thereof, else there was never any thing so absurd a Prince can propose, but that he may find, or make some of the Clergy to join with him,) but protect what is already first defined by the Clergy in a former General Council. But if so, then his power will hardly extend to the points of Reformation: since how few are those Heresies (amongst the many points of the Roman Church,) from which the Reformed have departed, which are solemnly condemned (some of them they say are defined) by General Councils? I suppose therefore we must found the Princes Ecclesiastical authority on the other member, [*if the Clergy err against the common sence of Christians*,] or, as Mr. *Thorndike* expresseth it; when the Ecclesiastical power abolisheth any of matters already determined by our Lord, and his Apostles, (for all such are laws given to the Church *&c.*) But, alas, who must judge, when the Ecclesiastical power aboliseth any of matters *&c.*? for the Pastors of the Church at the same time affirm, and will die for it, that neither against the Scriptures, neither against Traditions of former Church, have they transgressed; nor do abolish, but establish, them: and as for the people, whom should they rather follow in matters of Divinity? their Pastors, or their Prince? God hath given charge to the Clergy over the flock, but where hath he committed the charge of the Clergy to the Prince? Perhaps the common sence of Christians shall judge. But are the Guides of the Church then only void of it, and that

in their own faculty? Common ſence of the Chriſtian Laity, what if they differ then in their common ſence, are we not then to follow the major part of them? But ſo alſo the Reformed are caſt, the major part of Lay-Chriſtians entertaining the Roman Tenents.

Again, we have given up this right of the Church to the Prince, where now ſhall we ſtay? If one Prince may do the office of a Council, and if need be decide matters of Faith for the Clergy; why may not the next, if need be, Ordain for the Biſhop, or depoſe that Order obſtinate in error? Is this a dream? are there not alſo thoſe who claim this? But then again, if where the Clergy fails the Prince may take our Saviour's Chair, and judge, then ſuppoſing the Prince alſo through malice or ignorance &c. may fail too; (Is there not ſome Common-wealth, that hath been lately under God's judgments in this condition?) I would gladly know, whether an Eccleſiaſtical power may not review his Acts, and reform his Errors? and then, why not both reform; both, at the ſame time according to their differing judgments? But God is the God of order, not of ſuch confuſion. Thus much of the 2*d.* thing propoſed before §1. the independency of the Miniſters of Chriſt on any *Secular* power. Now I ſhall conſider the *Third.*

§73. Next, as the Miniſtry of Chriſt is ſecured for the perpetual continuance of their Spiritual power, and office, againſt all foreign force of *Seculars*, (which ſhall often riſe againſt it,) by their *Spiritual* ſword, toward thoſe Temporal Governors, who fear God; and by their fortitude, (being ſtrengthened by Chriſt,) both in doing their duty, and in ſuffering patiently, toward *Secular* Governors Infidel or the Heretical: ſo is it ſecured for ever, for the unity of the Faith, and of the Profeſſion of

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it, (*Eph.* 4. 5, 13.) against all inteſtine diviſions amongſt the Clergy; which diviſions often ſhall happen in it, but ſhall never remain of it. For it is as true, that no Hereſy or Schiſm within, as that no Secular power without, (being only ſeveral Gates of Hell,) ſhall ever prevail againſt it.

§ 74. To clear this point, we muſt know, that where ever any diviſion happens in the Church; and that one Communion, which was at firſt eſtabliſhed in a perfect not co- but ſub-ordination, divides into two, and each ordain Succeſſors to their party, one is to be counted no lawful ſucceſſion. Elſe, ſince ſome Teachers there ſhall be that will differ from the reſt; and in all ſects we may find ſome Clergy or other for us to follow; the Church will have neither any ſuch property, as *unity* of her faith; nor will there be any ſuch crime as Schiſm from it. Therefore the Church may and ought, for the preſervation of her purity, and unity, to excommunicate, exauthorize, and ſeparate her ſelf and her children from ſuch as are falſe Teachers, and walk diſorderly, that ſhe might not be partaker of, nor countenance them in, nor encourage more to follow, their ſin; according to the frequent commands of Scriptures, forequoted, ſee 2 *Jo.* 10, 11. *Matt.* 18. 17, 1 *Tim.* 6. 5. *Tit.* 3. 10. 1 *Cor.* 5. 13. 2 *Tim.* 2. 19, 21. compared with 18. —*Iniquity*, i.e. errors, *Gal.* 1. 8, 9. *Rev.* 2. 6, 15, 16. (texts abuſed by ſome to juſtify a ſeparation from the Church it ſelf,) therefore alſo none can lawfully communicate both with the true and with an Heretical or Schiſmatical Church: who tho they hold ſufficient truth, yet are to be refuſed and avoided for the breach of unity, and that without reſpect to the numbers of the revolted, or to the liability of the Church, they deſert, to ſome (non-de-

destructive) errors. And this practice the Church hath always observed, and the persons so disauthorized by it, if afterward using their functions, were in the Primitive times esteemed guilty of sin, and sacriledge, and so those also, by them ordained. And when returning to the Catholick faith (as many *Arian* Bishops did) they might not officiate, till by a Declaration and reabilitation of the Church they were restored to the exercise of that authority, of which they were by her formerly deprived. For we must know, that tho according to the common Tenent of the Church (see *Conc. Nice* 8. *Can.*) none that is ordained (according to the right form of Ordination) by a Heretick, or Schismatick, may be reordained, no more than one baptized by such may be rebaptized, or the Eucharist consecrated by such reconsecrated; but when he recants his Heresy, or Schism, he being only relicensed by the Church, dischargeth his function by vertue of his formerly received Orders. Yet who so by Heresy or Schism is once deprived of the right of *exercising his function*, (as any one may be,) cannot confer this right on others, but that all these afterwards stand as much suspended from any execution of their offices, as himself doth. Tho I cannot say, but that the Effects of the Sacraments, and other offices of their function, as well in other things as in Baptism, (as in Marriages, in Penance, and Absolution, the Eucharist, *&c.*) are still valid to the simple Receiver, who is guiltless of their faults, the wickedness of the Minister (if truly ordained) not hindering the benefits to mankind, which Christ hath annext to that Office, and which always himself (as the principal Agent) by their hands confers.

To

To diſtinguiſh then true Succeſſion, which we are always to adhere and ſubmit to. 1. There is no lawful Succeſſion, where is no lawful Ordination. Nor 2*ly* any Ordination lawful from or done by thoſe that are condemned, or guilty of Schiſm. For to thoſe that are guilty of this, tho their former Ordination, and the Character (as ſome call that impreſſed by it) is not annulled, and blotted out, (for which cauſe, as I ſaid, when ſuch perſons were reconciled, and readmitted to their functions, they were not reordained,) yet all the authority and right of diſcharging their function is taken away by the Church, and ceaſeth; and conſequently then ceaſeth this *power* of ordaining others. See *Canon Apoſt.* 67. 63. *Conc. Nicæ. can.* 19. 8. And the ſame caſe, I ſuppoſe, it is of thoſe who are condemned, tho not guilty, and who are excommunicated and thruſt out of the Church never ſo unjuſtly; for they yet deſiring the communion denied them, ſhew their approbation ſo far of it, as that they may not ordain others againſt that, wherein they grant is preſerved the unity of the Faith; tho I think, that ſimply an unjuſt Excommunication never made ſuch a manner of diviſion in the Church; but that thoſe, who have ſet up new communions, have ſtill diſallowed ſome Tenents or practices of the former, for which they would not, if permitted, return to communicate with her; tho they ſeem to juſtify their new communion, chiefly upon the pretence of being caſt out of the former. Now Schiſm (as the former times underſtood it) is any relinquiſhing, and departing, upon what pretence ſoever, from the former external communion of the Church, (when we cannot ſhew that it hath departed from the former external communion of its Predeceſſors), where we muſt grant was before the §. 75.

the unity of the faith, (becauſe there was no Chriſtian communion at all beſides it,) and in that faith, ſalvation (undeniably) to be had, and its judgment in all controverſies of faith, and interpretations of Scriptures, to be obeyed. Now who depart thus, are alſo eaſily diſcerned: 1. By the paucity of their number, if we look not at the Succeſſion, but at the beginning of the Breach; tho afterward (in ſome places at leaſt) it may outnumber the Orthodox. So *Arianiſm* was eaſily diſcerned for Faction at the Council of *Nice*; when it was but new planted, tho not at that of *Syrmium* or *Seleucia* afterward. And 2*ly*, By their plea, one alledging Truth only, the other alſo Tradition.

§ 76. 3. By the conſtitutions of the Church Ordinations are unlawful, not only, where not ſuch perſons, as the Canons of the Church have appointed, do ordain, (as one no Biſhop); or not ſuch a number; (as for making a *Biſhop*, leſs than three, where cannot be ſhewed an irremediable neceſſity, [which neceſſity where truly it is, and not pretended to be, if you pleaſe we will ſuppoſe Presbyters alſo may do the Office, or propagate the Order of *Biſhops*; or the Chriſtian people create all theſe to themſelves; or in practiſing the duties, and retaining the faith of Chriſtianity, be ſaved without ſuch Eccleſiaſtical Adminiſtrations; but what will this avail thoſe, who pretend ſuch neceſſities, when they live in the middle of the boſom of the Church of God, and the original miniſtery thereof?] but alſo, wherever a greater part of the Biſhops of ſuch a Province oppoſe than conſent to it. See Mr. *Thorndikes* conceſſion, *Right of the Church* p. 148. 250. 147. The Reaſon: becauſe Ordinations were to have bin made only by the Provincial Councils, which were to be held frequently, (twice

(twice a year); in defect of these, the execution of it was committed to three, or in a case of necessity to one; but presupposing the consent, and that by letters of the rest, or the major part of them. See *Conc. Nic.* 4. *Can. Conc. Nicen. can.* 6. *Apost. can.* 1. 36, 38. *Ap. Const. l.* 8. *c.* 27. Else the unity of the Church can no way be preserv'd: Therefore *Novatianus* ordain'd for Bishop of *Rome* by Three, was forc'd to yeild to *Cornelius* Ordain'd by Sixteen. Again, it was caution'd, That all the Bishops of a Province might do nothing in these Ordinations without the Metropolitan's consent, *Conc. Nic. Can.* 4, 6. And again, these Metropolitans were subjected to a Council. And what is said here of Bishops in respect of a Provincial Council, the same may be said of all those of a Province, or also Patriarchy in respect of a General. For as in a Province disagreeing, those are only to be accounted Successions lawful, *i. e.* such as all are only to submit to, which the Provincial Council allows; so in greater rents of the Church, only those, which the General Council allows: which disauthorizing of some if it be not allow'd, there can be no Unity in the Church, nor suppression of Heresies, Schisms, *&c.* If it be allow'd, there can never be two Successions opposing one another, both lawfully by such Clergy exercis'd, and submitted to by the people, after this exauthorizing one of them by a Council.

And this is the reason, why we find the Canons of the ancient Councils, not so much busied in debating Opinions, as about setling Peace, and Unity, and perfect Subordination amongst Ecclesiastical persons; knowing, that upon this, more than evidence of Argument and Reason (which in most men is so weak and mis-leadable) depended the preservation of the Unity of the Church's Doctrines, and requiring, in any division

of

of these Governors, Obedience still to the major and more dignified Body of them. Christ's promises of indefectability belonging to a City set on an Hill, and to a Light set on a Candlestick; that we should not leave this City so eminent, to repair to some petty Village; nor this Light that shines over the whole House, to follow a Spark, glittering for a while in some corner thereof.

§. 77. Two great Divisions, or Separations, of external Communion there have been in Christianity, before this last made after the Christian Church was fifteen hundred years old. The Sect of the *Arians*; and afterward the Division of the *Eastern* Churches from the *Latin*, or *Roman*.

Now for the first of these, which seemed for a time to eclipse the *Church-Catholick*, and to be set higher on an Hill than it; very small it was at first, when censur'd and condemn'd in a General and unanimous Council; and tho afterward it grew much bigger, by being promoted by the Secular power, yet it never grew to a major part, as is shew'd in the Discourse *Of the Guide in Controversies*, *Disc.* 2. *§* 26. and the violence of it vanish'd in fifty years; *i.e.* when the Secular power fail'd it; and the former Church-Communion hath outliv'd it. And for the time also in which it most flourish'd, the Catholicks valiantly kept both their Bishops and Communion distinct; there being two Bishops at *Rome*, at *Constantinople*, *&c.* one *Catholick*, and the other *Arrian*; and two external Communions; one containing that of the former times, and adhering to the General Council of *Nice*; the other deserting, and deserted by, the former Communion, nor admitted to any Fellowship with it, till at last many of the penitent mem-

members thereof, return'd to the *Catholick Communion*; and the new Sect expired. See before § 62.

For the ſecond, the Diviſion of the *Greek* Churches from the *Weſtern*; it is granted, that two Churches co-ordinate may, upon ſeveral pretences moving them thereto, if ſuch as are not determin'd by the Superior to them both, abſtain from one another's external Communion, without incurring any ſuch Schiſm, as to ceaſe to be ſtill, both of them, true Members of the Church-Catholick. But if one of theſe Churches, either deſert, or be deſerted by, and excluded from the Communion of, the other, for a matter once determin'd by an Eccleſiaſtical Authority, Superior to both; and ſuch Superior Authority be embrac'd and adher'd to by the other, rejected by it: Here the Church, that diſobeys its Superior, and departs from ſuch other Churches as are united to them, is Schiſmatick, and ceaſeth to be any longer Catholick. If then the former, or preſent differences between the *Roman* and *Greek* Churches are ſuch, as have been by former Church-Authority, ſuperior to both, Canonically decided and determin'd; as ſuppoſe by the *Lateran* Council under *Innocent* III. or of that of *Lions* under *Gregory* X. or that of *Florence* under *Eugenius* IV. and the *Eaſtern* Churches diſobeying theſe Acts, have ſeparated from, or thereupon been rejected by, the *Roman* Communion, obſerving them: Or again, If the *Greek* Church have made a diſceſſion and rent from the Prime Patriarch of the Church, and the Chair of St. *Peter*, in denying any of thoſe Priviledges, and that Authority which rightly belongs to him over the whole Church of Chriſt, in order to the preſerving the perpetual Peace and Unity thereof, (things which it concerns me not here to determine), the *Greek* Churches § 78.

by this Separation from the *Roman*, muſt ſtand guilty of a Schiſm from the *Catholick* Church, and ceaſe to be any true Members thereof. Neither indeed have theſe Churches, ſince this Diviſion, like wither'd branches, retain'd any Dignity, Authority, Growth, or Extent, equal to the *Roman*, or ſuch as they had formerly; this indeed hap'ning to them from the oppreſſion of an open enemy to Chriſtianity, but yet perhaps the ſame alſo an Inſtrument of God's diſpleaſure againſt them.

§. 79. Laſtly, As for the lateſt Diviſion of the Reforming Party in the Weſt, much-what the ſame may be ſaid of it, as was but now of the *Arian*. It is known, when that ſingle perſon ſtood alone, who began it; and it ſpread afterward by the ſupport of the Secular power againſt Church-authority; and when in its greateſt growth, but an inconſiderable part in compariſon of the Whole. Which alſo hath caſt it off from her Communion, condemn'd it by her Councils, and permits not any of her Members to have any external Communion with it. And, tho at firſt, by reaſon both of foreign Invaſions from the *Turk*, and many civil Wars in Chriſtian States, it made, eſpecially in climates more remote from the reſidence and ſuperintendency of the chief Hierarchy of the Church, a very great and ſpeedy increaſe; yet the vigour of its age may be thought already paſt, and it is a long time, that it ſeems to be in its Wane and decadency, expecting ſtill, and propheſying to it ſelf the fall of Antichriſt, till it ſelf by little and little be ſunk down into its grave.

So many parts therefore, as fall off once from their union with the main Body, can be accounted no longer any members of the *Church-Catholick*, nor yet lawfully continue a *Church-Communion*, or *Succeſſion of Clergy*, among

among themſelves; Becauſe there can be but *unum Corpus*, as *unus Dominus Chriſtus*, *Eph.* 4. 5. from which Body any part ſeparated ſtrait withereth, and ſeparated from the Body, is ſo alſo from the Head Chriſt.

Tho all among theſe are not really cut off from the Head or Body, that the Church externally ſeparates from it by her Cenſures. Which proceed upon theſe according to the outward profeſſion, which only the Church ſees, but cannot diſcern the inward affection and diſpoſition, which ſecretly may ſtill continue ſome of thoſe to the Body whom her Cenſures removes from it. Such are the invincibly ignorant, or thoſe that without malice, are involv'd in ſuch Schiſm, eſpecially where the fundamental Faith is not diminiſh'd by any Hereſie added to Schiſm.

But tho this plea of Ignorance invincible do ſeem good and credible for many in the preſent *Greek* Churches (if theſe Churches may be concluded Schiſmatical) kept in ſo much ſlavery, illiterature, and darkneſs; yet it is to be fear'd, it will fail many in the Reform'd Churches, where too much preſumption of Knowledg ſeems to be the chief thing that hath deſtroy'd their Obedience and Conformity to the whole.

FINIS.

among themselves; Because there can be but *unum Corpus, as unus Dominus Christus, Eph. 4. 5.* from which Body any part separated strait withereth, and separated from the Body, is so also from the Head Christ.

Tho all among these are not really cut off from the Head or Body, that the Church externally separates from it by her Censures. Which proceed upon these according to the outward profession, which only the Church sees, but cannot discern the inward affection and disposition, which secretly may still continue some of those to the Body whom her Censures removes from it. Such are the invincibly ignorant, or those that without malice, are involv'd in such Schism, especially where the fundamental Faith is not diminish'd by any Heresie added to Schism.

But tho this plea of Ignorance invincible do seem good and credible for many in the present *Greek* Churches (if these Churches may be concluded Schismatical) kept in so much slavery, illiterature, and darkness; yet it is to be fear'd, it will fail many in the Reform'd Churches, where too much presumption of Knowledge seems to be the chief thing that hath destroy'd their Obedience and Conformity to the whole.

FINIS

THE

THIRD TREATISE

OF THE

FIRST PART

OF

ANCIENT Church-Government.

REFLECTING

On the late writings of ſeveral Learned Proteſtants, Biſhop *Bramhall*, Dr. *Field*, Dr. *Fern*, Dr. *Hammond*, and others on this Subject.

OXFORD,
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CONTENTS.

Subordination of Clergy. § 1.
Three Patriarchs only at the first. § 2.
The first of these the Bishop of Rome. § 3.
The extent of his Patriarchate.
The 2d. *the Bishop of* Alexandria. § 4.
The 3d. *the Bishop of* Antioch. § 5.
From whence their Superiority over other Bishops. § 6.
The See of Constantinople *advanced to a Patriarchate in the next place to* Rome. § 7.
The great extent of this Patriarchate in latter times.
The See of Jerusalem *raised to a Patriarchate in the* 5th *place.* § 8.
The authority of Patriarchs, and other Ecclesiastical Governors, for the ordinations or confirmations, and for judging the causes (upon appeal) of their inferiors. § 9.
Where concerning the authority of the Council of Sardica. § 11.
A Digression concerning the controversy between the Bishops of Africk *and* Rome *about Appeals.* § 12.
Whether transmarine Appeals in some cases very necessary. § 14.
Those not subjected to any Patriarch for Ordination, yet subjected for decision of controversies. § 18.
The Patriarchs also subjected to the judgment of a superior Patriarch. § 20.

The

The power of Jurisdiction (not only Primacy of Dignity) of the Bishop of Rome *above the rest of the Patriarchs and Bishops.* ib.

This power exemplified in the Primitive times to the end of the 6th *age, the days of* Gregory *the Great.* § 21 to 31.

A *Digression concerning the meaning of that ancient Canon,* Sine Romano Pontifice nihil finiendum. § 22.

A *Digression concerning the Title of* Universalis Episcopus *assumed by the* Constantinopolitan, *and declined by the* Roman, *Bishops.* § 26.

A *Digression concerning the Patriarchship of* Ravenna *and* Justiniana prima, *urged by Dr.* Hammond. § 30.

The authority of this See of Rome *by Protestants allowed to be the more orthodox in all other divisions that have bin made from it, save only their own.* § 31. n. 2.

By the former clear allegations some other (controverted) sayings of the Fathers expounded. § 32. &c.

The Protestants ordinary replies to the authorities above cited, to me seeming not satisfactory. § 36.

That such power (which was anciently exercised by the Bishop *of* Rome*) was not exercised by him jointly only with a Patriarchal Council, which is by some pretended.* § 37.

That it is schism to deny obedience to any Ecclesiastical power, established by the Ecclesiastical Canons; and that no such power can be lawfully dissolved by any power secular. § 38.

The

The concessions of Bishop Bramhal *and Dr.* Hammond *in this matter.* § 39.

Several pretences to weaken such Canons to me seeming invalid. § 41.

That obedience due may not be withdrawn upon Governors undue claimes. § 47.

That Ecclesiastical Councils may change their former Ecclesiastical Laws, tho Lay-Magistrates may not change them. § 48.

That Prelats, and others, stand obliged to those Church-Canons, which in a superior Council are made with the consent of their Predecessors, till such Council shall reverse them. § 49.

Reflections upon what hath bin said.—

That the Church of England seems obliged in as much observance to the Roman *See, as the former instances have shewed the Orientals to have yeilded to it.* § 51.

That the Church of England seems obliged to yeild the same observance to the Roman *See, as other Western-Provinces, upon the 6th* Nicene *Canon.* § 52.

That this Nation owes its Conversion chiefly, if not only, to the Roman *See.* § 53.

And hath in ancient Councils, together with other Churches, subjected it self to that See before the Saxon conversion. § 55.

The Britains *observation of Easter different from* Rome, *not agreeing with the Orientals; and no argument, that they received Christianity from thence.* § 57.

That the Englisb Nation is sufficiently tyed to such subjection by the Decrees of latter Councils, wherein her Prelats have yeilded their consents. § 59.

The Contents.

That the Principle, upon which some for the English Clergy and Nation free from such former obligations, hath been shewed to be unsound. § 60.

That some Rights once resigned and parted with, cannot afterward be justly resumed. § 61.

SEing the controversies of Religion in our times are grown in number so many, and in matters so intricate, that few have time and leisure, fewer strength of understanding, to examin them; what remaineth for men desirous of satisfaction in things of such consequence, but diligently to search out, which amongst all the Societies in the world is that blessed company of Holy ones, that Houshold of faith, that Spouse of Christ, and Church of the Living God, which is this pillar and ground of Truth, that so he may embrace her Communion, follow her Directions, and rest in her Judgment.

Grot. Animadv. cont. *Rivet.* ad Art. 7.

Rogo eos, qui verum amant, ut eum legent Dav. Blondelli *viri diligentissimi Librum de Primatu, non ipsius* σοφὰ ῥήματα, *sed ipsas historias, quarum veritatem* Blondellus *agnoscit, animo a factionibus remoto expendant; spondeo, si id faciant, inventuros, in quo acquiescant.*

S. Austin *de util. credendi,* 16. c.

Authoritate decipi miserum est, miserius non moveri; si Dei providentia non præsidet rebus humanis, nihil est de religione satagendum. —Non est desperandum ab eodem ipso Deo authoritatem aliquam constitutam, qua velut, gradu incerto, innitentes attollamur in Deum. Hæc autem authoritas sepositâ ratione (qua sincerum intelligere, ut diximus, difficillimum stultis est) dupliciter nos movet, partim

 miraculis,

miraculis, partim sequentium multitudine. —10. c. *Sed inquis, Nonne erat melius rationem mihi reddere, ut quacunque ea me duceret, sine ulla sequerer temeritate? Erat fortasse: sed cum res tanta sit, ut Deus tibi ratione cognoscendus sit, omnesque putas idoneos esse percipiendis rationibus, quibus ad divinam intelligentiam mens ducitur humana? an plures? an paucos? paucos ais, existimo. Quid cæteris ergo hominibus, qui ingenio tam sereno præditi non sunt, negandam religionem putas?* [who therefore must receive this, not from Reason, but Authority.] —12. c. —*Quis mediocriter intelligens non plane viderit, stultis utilius ac salubrius esse præceptis obtemperare sapientum, quam suo judicio vitam degere?* —13. c. —*Recte igitur Catholicæ disciplinæ majestate institutum est, ut accedentibus ad religionem fides* [i.e. *adhibenda authoritati Ecclesiæ*] *persuadeatur ante omnia.* 8. c. —*Si jam satis jactatus videris, sequere viam Catholicæ disciplinæ, quæ ab ipso Christo per Apostolos ad nos usque manavit, & abhinc ad posteros manatura est.* —12. —*Quum de religione, id est, quum de colendo atque intelligendo Deo agitur, ii minus sequendi sunt, qui nos credere vetant, rationem promptissime pollicentes.*

Rivet *Apol. Discussio. p.* 255.

Nunc plane ita sentit Grotius, *& multi cum ipso, non posse Protestantes inter se jungi, nisi simul jungantur cum iis qui Sedi Romanæ cohærent, sine qua nullum sperari potest in Ecclesia commune regimen. Ideo optat, ut ea divulsio quæ evenit, & causæ divulsionis, tollantur. Inter eas causas non est Primatus Episcopi Romani secundum Canones, fatente* Melanchthone, *qui eum primatum etiam necessarium putat ad retinendam unitatem. Neque enim hoc est Ecclesiam subjicere Pontificis libidini, sed reponere ordinem sapienter institutum.*

Bishop

Not Antichrist, but ancient Councils, and Christian Emperors, perceiving the mighty trouble and intolerable charges, that the Bishops of every Province were put-to, by staying at Synods for the hearing and determining of all private matters and quarrels; and seeing no cause to imploy the Bishops of the whole world twice every year to sit in judgment about petit and particular strifes and brabbles: as well the Prince as the Bishops, not to increase the pride of Arcbishops, but to settle an indifferent course, both for the parties and the Judges, referred (not the making of Laws and Canons, but) the execution of them already made, to the credit and conscience of the Archbishop. —Tho the Fathers leave an Appeal either to the Councils, or the Primate of every Nation.

Mr. Thorndike, *Epilogue* 3.*l.*20.*c. p.* 179.

Of the Councils [*he meaneth those first Councils held in the East*] how many can be counted General by number of present votes? The authority of them, then, must arise from the admitting of them by the Western Churches: and this admission of them what can it be ascribed to, but the authority of the Church of *Rome*, eminently involved, above all the Churches of the West, in the summoning and holding of them, and by consequence in their Decrees? And indeed, in the troubles that passed between the East and the West, from the Council of *Nice*, tho the Western Churches have acted by their Representatives, upon eminent occasions, in great Councils; yet in other occasions they may justly seem to refer themselves to that Church, as resolving to regulate

regulate themſelves by the Acts of it, [*and then he produceth ſeveral inſtances.*] —Whereby (*ſaith he*) it may appear, how the Weſtern Churches went always along with that of *Rome*. —Which neceſſarily argueth a ſingular preeminence in it; in regard whereof He [*the Roman Biſhop*] is ſtiled the Patriarch of the Weſt, during the regular government of the Church; and being ſo acknowledged by K. *James* of Excellent memory to the Card. *Perron*, may juſtly charge them to be the cauſe of dividing the Church, who had rather ſtand divided than own him in that quality. [*Afterward he ſaith, p.* 180.] That it is unqueſtionable, that all cauſes that concern the whole Church, are to reſort to the Church of *Rome*.—[*And* p. 181. *asks*] what pretence there could be to ſettle Appeals from other parts to *Rome*, [*as ſuch Appeals were ſetled in the Council of* Sardica, *which Council he there allows, and calls General,*] rather than from *Rome* to other parts, had not a preeminency of Power, and not only a precedence of Rank, bin acknowledged originally in the Church of *Rome*.

COR-

UMI

CORRIGENDA.

Page 29. *l.* 7. elſe he would.
Page 55. *l.* 80. thro five or ſix.
Page 115. *l.* 3. except that of one or two of his Prede- (ceſſors.

CONCERNING ANCIENT CHURCH-GOVERNMENT.

PART I.

Of the Authority and Subordinations of Eccleſiaſtical Governors.

§. 1. *Subordination of Clergy.*

FOR the better Governing of the Church of Chriſt in Truth, Unity, Uniformity, and Peace; and for the eaſier ſuppreſſing of all Errors, and Diviſions; and for rendring all the Church of God, tho diſpers'd thro ſeveral Dominions, but one viſible compacted Society; we find anciently theſe Subordinations of ſuperior Clergy: 1. Presbyters. 2. Biſhops. 3. Metropolitans; and (amongſt Metropolitans) Primates. 4. Patriarchs; and (amongſt theſe Patriarchs) a Primate.

§ 2. *Three Patriarchs only at the firſt.*

Of theſe Patriarchs, in the firſt General Council of *Nice*, held *A. D.* 325. there were only Three [call'd, at the firſt, by the common name of *Metropolitans*; tho with a diſtinct authority from the reſt: Then, by the name of *Primates*, (2. *Gen. Con. Conſt. can.* 2. 5.)-(this name alſo being common to ſome others): Afterward by the name of *Patriarchs*, (*Conc. Chalc. Act.* 3.—8 *Gen. Conc. can.* 10.) Neither was this name (tho moſt frequently) always applied only to the Patriarchs of the firſt Sees. But we find in the *Eaſt* (the Primates of *Aſia minor*, *Pontus*, *Thrace*, and many others, to the num-

number of nine or ten, call'd by *Socrates*, who writ in the fifth Age, *Eccl. Hist. l.5. c.8.*) *Patriarchs*; (call'd so, as well as by the name of *Primates*, in respect of some other Bishops, or also Mettropolitans, subject to them); yet which Patriarchs had also a subordination and subjection to some of these prime, or major, Patriarchs, of whom we here speak; as appears in the Church-History; and especially in *Conc. Chalced. Act.* 3. and *Act.* 16. And we find also in the West (after *A. D.* 500.) several Primates in *France*, *Italy*, *Spain*, call'd Patriarchs; as the Primate of *Aquileia*, *Gradus*, *Lions*, (see *Conc. Matiscon.* 2. *in præfat. Priscus Episcopus Patriarcha dixit, &c.* See *Greg. Turon.* 5. *hist.* 10. *Paul Diacon. l.* 2. *c.* 12. *Greg. Epist. l.* 11. *ep.* 54.) yet over whom the *Roman* Bishop, the major Patriarch of the West, exercis'd a superiority and Patriarchal jurisdiction, both before and after that we read this name given to them; as will appear hereafter in this discourse, and more particularly in the matter of the Letters of *Leo*, and *Gregory*, and other Popes, written upon several occasions to divers of them. This I note to you, that the commonness of the name may not seem to infer an equality of the authority. Now to go forward.]

§ 3. n. 1. The first of these the Bishop of Rome.

The first and chief of these was the Bishop of *Rome*; whose Patriarchship the Bishop of *Derry* (*Vind. Ch. Eng. c.5. p.62.*) and Dr. *Hammond* (of *Schism, c. 3. p. 51, 52.*) following *Ruffinus Eccl. Hist. l.* 1. *c.* 6. (one less to be credited in this matter, because by the Bishop of *Rome* formerly excommunicated; see *Anastasius* 1. *ad Johan. Hierosol.*) make very narrow, and much inferior to that of the two other Patriarchs (whereof one had subjected unto him all *Egypt*, *Lybia*, and *Pentapolis*; and the other, all *Syria*, and the Oriental Churches,) allowing to the Bishop

Biſhop of *Rome* only *regiones ſuburbicarias* in the Eaſtern parts of *Italy*, and the Iſlands of *Sicily*, *Sardinia*, and *Corſica*, near adjoining to it. But over theſe Churches that Biſhop might have ſome more immediate ſuperintendency, and Metropolitan- or Primat-ſhip, contradiſtinct to other Metropolitans, as to that of *Millan*, &c. (So the Primat of all *England* hath yet a particular ſuperintendency over one Dioceſs more than over the reſt; of which more particular ſuperintendency over the *regiones ſuburbicariæ*, as he was their Primate or Metropolitan, *Ruffinus* ſeems to ſpeak; and perhaps the 6th *canon* of *Nice* [*Mos antiquus perduret, in Ægypto vel Lybia & Pentapoli, ut Alexandrinus Epiſcopus horum omnium habet poteſtatem; quoniam quidem & Epiſcopo Romano parilis mos eſt. Similiter autem & apud Antiochiam, cæteraſque Provincias, honor ſuus unicuique ſervetur Eccleſiæ.*] may be thought partly to intend it, for which conſider thoſe words in that *6th* Canon [*cæteraſque Provincias* &c] compared with *Concilium Conſtantinopolitan. 2. Can.* —and *Conc. Epheſ. 8. can.* Yet do not theſe Canons therefore abrogate any ſuperior rights of any Biſhop, *quæ prius atque ab initio ſub illius ſeu anteceſſorum ſuorum fuerit poteſtate* (to uſe the phraſe of the foremention'd *8th Canon* of *Epheſus*,) but confirm them, not only the Metropolitan, but alſo whatever Patriarchal Rights they held formerly: as appears in thoſe firſt words of the 6th *Nicene* Canon, τὰ ἀρχαῖα ἔθη κρατείτω, of which ſee more below § 19. from which the *Roman* Primacy was both urged by *Paſchaſius*, a Legat of the See Apoſtolick in the *4th* General Council, and alſo acknowledged by the Council in their Epiſtle to *Leo.* (See below § 25 *n.* 2.) And again on the other ſide, (as *Bellarmin de Rom. Pontif. 2. l. 18. c.* obſerves,) the Pope's being *Caput Eccleſiæ univerſæ* (ſuppoſing him to be

The extent of his Patriarchate.

ſo) in ſome general way of ſuperintendency, or for ſome particular acts and offices, (as ſuppoſe for receiving appeals, deciding controverſies, between the chief Governors of the Churches admitting them to, and depoſing them from, their places, obliging them *pro tempore* with his decrees,) hinders not, but that he may be alſo a Patriarch, a Metropolitan, a Biſhop, in reſpect of ſome other more immediate ſuper-intendencies and offices divers from the former; which he doth actually exerciſe over ſome particular Church or Churches, but doth not ſo over others; or which alſo he cannot exerciſe over the whole as he doth over thoſe particular Churches, (as, ſuppoſe, for ordaining the inferior Biſhops and Presbyters, and hearing their cauſes, perſonally officiating in the Word and Sacraments, receiving and diſtributing the Eccleſiaſtical revenue thereof *&c.*) Nor again, *e converſo*, (as Cardinal *Perron*, in anſwer to K. *James*, obſerves,) doth his governing only the *Roman* Province, as their Metropolitan; or only *Italy*, as their Primate, hinder, that he ſhould govern the Weſt alſo as their Patriarch. Nor again, doth his governing the Weſt as their Patriarch) becauſe he was Biſhop of *Rome*, the chiefeſt city of the Weſt) hinder, that he may not alſo, as S. *Peter* and S. *Paul*'s Succeſſor there, (to one of whom the Jew, and to the other, the Gentiles, were committed, (*Gal.* 2. 7, 9.) have ſome ſpecial ſuperintendency over all the Church, Jew, and Gentile.

§ 3. *n.* 2. I know, it is earneſtly pleaded by Biſhop *Bramhal Vind.* 8. *c. p.* 251. and *Rep.* to *S.W.* 10. *s. p.* 69. —That, 'to have an univerſal Headſhip over the Church, and 'to have a Patriarchal authority or headſhip over only 'ſome part of the Church; to have a limited juriſdi-'ction over a certain Province, and to have an unlimited juriſdiction

'jurisdiction over the whole world. —To challenge 'the same thing from divine, and from humane, insti- 'tution; as Patriarch, to be subject to the Canons, as 'Universal Head of the Church, to be above them, are 'contradictions. And in *Schism. guarded*, 4. *sect.* p. 304. tis again urged by him, that Sovereign government, and Subordinate government of the same person in the same Society, is inconsistent; where he hath also these words. "When I did first apply my thoughts to a sad 'meditation on this subject, I confess ingeniously, that 'which gave me the most trouble, was to satisfy my 'self fully about the Pope's Patriarchate; but in con- 'clusion, that which had bin a cause of my trouble, 'proved a means of my final satisfaction. For seeing it 'is generally confessed, that the Bishop of *Rome* was a 'Patriarch, I concluded, that he could not be a Spiri- 'tual Monarch. Tis urged likewise by Dr. *Hammond*, in *Schism.* 6. v. 2. c. "—That he that is supposed in (gross) 'to have by Succession to S. *Peter* that original title to all 'power, over all Churches, cannot be imagined to ac- 'quire it afterward (by way of retail) [i.e. *by any other* '*ways and means*] over any particular Church. He that 'claims a reward as of his own labour and travel, must 'be supposed to disclaim donation, which is antecedent 'to, and exclusive of, the other; as the title of descent 'is, to that of conquest. Thus Dr. *Hammond*. But to these it is easily answered.

1. To Bishop *Bramhal*: That nothing consists bet- §. 3. n. 3. ter together than contradictories, if they be not under- stood *secundum idem*. To have a headship Universal over the whole Church, given him by God, or by the Church, (if God hath left to it the disposal thereof) *for some things*, and to have a headship Patriarchal only

over

over ſome part of the Church given by the ſame authority; or the firſt given by God, the ſecond by the Church, *i.e.* the firſt by divine, the ſecond by humane, inſtitution, *for ſome other things*, contradict not. To have an unlimited power (if he means for place) for ſome things, and limited (for place) for other things, contradict not: To hold the ſame power or authority both by divine and humane inſtitution, or title, or laws, (which are all one,) contradicts not; unleſs this term [*only*] be added. One may hold the ſame thing both from the donation of our Saviour, and from the donation of the Church too, and from the donation of the Prince too, *quantum in illis eſt*, which is only a conſenting to Chriſt's donation, if they acknowledge it. Neither will theſe latter donations be needleſs, or uſeleſs, *ad homines*, tho the former donation be good; if the former be at any time queſtioned, as many good titles have bin. Again, it doth not contradict, that one as Patriarch be ſubject to ſome thing, to which, in another conſideration, *i.e.* as head of the Church, he is not ſubject; for the reſpect is changed. Chriſt the ſame perſon as Man was ſubject to laws, to which as God he was not. So Sovereign government and Subordinate government of the ſame perſon in the ſame Society are conſiſtent. The government of a city is ſubordinate to the office of a Prince in the ſame civil ſociety; yet may the Prince, that rules over all the Kingdom, be governor alſo of ſome particular city thereof, (if ſo he pleaſeth for his more ſecurity,) and may execute in that city all thoſe under-offices himſelf, which his Subſtitutes do in the reſt, or alſo formerly did there, by his authority. A Rectorſhip of a Pariſh is ſubordinate to that of a Biſhop in the ſame Eccleſiaſtical ſociety, and yet the Biſhop may alſo be the Parſon of ſome Pariſh within

within his Dioceſs, and officiate therein, as is uſual in ſome poorer Biſhopricks. One may be made by the King governor of a whole Province, in reſpect of ſome command which he hath over it all; and may be made by the ſame King, or by any other, to whom the King hath given the beſtowing of ſuch a dignity, governor alſo only of one city in that Province; in reſpect of ſome other offices, divers from the former, which he may exerciſe over that town, and not likewiſe over the Province. Thus much to Biſhop *Bramhal.* Only I muſt tell you, that he may put his propoſitions in ſuch a ſence, as they ſhall point-blank contradict: but then he will not be able to ſhew, that, in ſuch a ſence, the *Roman* Church affirms them.

2. To Dr. *Hammond,* I anſwer, That no man can acquire the poſſeſſion of a thing anew, which he already poſſeſſeth, but he may acquire a new title or right to what he already rightly poſſeſſeth, *i. e.* he may do ſomething upon which another law, which now doth not, ſhall give him right to the ſame thing, ſuppoſing that his preſent right faileth, or is queſtioned. Neither needeth he, when ſuch titles are queſtioned, adhere to one, and renounce the other, but may ſucceſſively plead both; one after another. Indeed when theſe two titles are in ſeveral perſons, one voids the other, the former the latter; becauſe the ſame thing cannot, at the ſame time, be poſſeſſed by ſeveral perſons, (as Dr. *Hammond* rightly argues in *Rep. to Cath. Gent. 6. cap. 1. s.*) but ſeems to me to apply it amiſs to two titles remaining in the ſame perſon, that the one of theſe will ſpoil the plea of the other. So one may receive a poſſeſſion from a Prince by free donation; and afterward, fearing ſome cavil at this title, may acquire another right to the ſame thing by purchaſe; either from the ſame Prince,

Prince, or from any other perſon of his Subjects, who pretends to have the juſt diſpoſal thereof. And this perſon may afterward plead, as he ſeeth cauſe, either of theſe titles, the donation from the Prince, or purchaſe from the Subject; which Subject whether he had a right power to diſpoſe of ſuch a thing, or no, yet the purchaſer's plea is good againſt him, and againſt all thoſe who are bound by his act, ſo that they cannot reſume ſuch poſſeſſion from him. So, to come nearer our buſineſs; Suppoſe a donation by our Saviour of ſuch a Supremacy for ever over the whole Church, and ſo over *Britain*, to S. *Peter's* Succeſſor; and ſuppoſe a donation (*quo jure* I need not here enquire) by the Church, of the ſame Supremacy to the Patriarch of the Weſt over all the Weſt, and ſo over *Britain*: and ſuppoſe 3*ly*, a donation or conſent by the inhabitants of Great *Britain* of the ſame Supremacy over them to the firſt author of their converſion: I ſay here, the ſame perſon being S. *Peter's* Succeſſor, and Patriarch of the Weſt, and converter of *England*, may challenge ſuch Supremacy over it, by which of theſe titles he pleaſeth; they being obliged to all; to our Saviour's Act, of whom they are ſubjects, to the Act of the Church, (whereof they are a part,) and to their own. But when theſe three titles are pretended by three ſeveral perſons, but one of them can ſtand in force; Or, if any one will ſay, that poſſeſſion can never relate ſave only to one ſingle title; yet if this be granted, that there may be ſeveral titles inherent in the ſame perſon, of which the one failing the poſſeſſion may ſtill juſtly relate to another; All will come to one, namely this; That no other can diſpoſſeſs this perſon, unleſs he firſt prove (not only one, but) all his titles faulty. Thus much that a Primatſhip, a Patriarchſhip, and an Univerſal Headſhip may be well conſiſtent in one perſon.

ſon. This rub being removed, now to go on.

But tho the fore-nam'd Writers much ſtraiten the Biſhop of *Rome's* juriſdiction, and make his Primateſhip, and Patriarchſhip both one; yet *Balſamon* (in his Explication of the *Nicene* Canons), and *Nilus* (in his Book againſt the Primacy), no great Friends to the Greatneſs of *Rome*, looking upon that authority which he always exercis'd over the other Metropolitans of the Weſt (of which more hereafter), beſides that which he had over his own more particular Suburbican Dioceſs, do enlarge this his Patriarchſhip to all the Weſt; *Quoniam & Romanus Epiſcopus præeſt Occidentalibus Provinciis*, (ſaith *Balſamon.*) "*Balſamon* and *Nilus* in-'terpret the words of the *Nicene* Decree (ſaith Dr. *Field*, '*l.* 5. *c.* 31.) that the Biſhop of *Alexandria* ſhall have the 'charge of *Egypt*, *Lybia*, and *Pentapolis*, and the Confirm-'ing of the Metropolitans in thoſe parts; becauſe the 'Biſhop of *Rome*, who hath care of the Weſt, Confirm-'eth the Metropolitans of the Weſt. And, before theſe, *Zonaras* a *Greek* Writer likewiſe, (on *Conc. Sard. can.* 5.) granteth the more Weſternly of the Eaſtern Provinces at that time to have belong'd to the *Roman* Church. "To the *Roman* Church (ſaith he) were then ſubject 'all the Weſtern Churches, namely, thoſe of *Macedo-'nia*, *Theſſalia*, *Illyricum*, *Epirus*, which were afterward 'ſubjected to the Church of *Conſtantinople*. And likewiſe Dr. *Field*, being preſs'd with many inſtances (not denyable) concerning the Biſhop of *Rome's* authority moſt anciently exercis'd over the Biſhops, not only, of *Spain*, *France*, *Africk*, *&c.* in the Weſt; but alſo, of ſome parts of *Greece*, *Thebes*, *Theſſalonica*, *Corinth*, *&c.* in the Eaſt; whereby they endeavour'd to prove his Univerſal [Vicarial] Headſhip over all the Church; is glad

§ 3. *n.* 4.

to plead; That the *Roman* Biſhop uſed ſuch authority, not as Head of all the Church, but as Patriarch of the Weſt; embracing *Balſamon's* opinion; and proving, out of *Cuſanus*, that ſuch places, as are urged by the *Romaniſts*, do belong to the *Roman* Patriarchſhip. (Which Patriarchſhip the other Doctors labouring to ſtraiten, how they will avoid another Univerſal Super-intendentſhip of the ſame Biſhop, urg'd by the *Roman* party, I ſee not). See *Field l.* 5. *c.* 37. *p.* 551.—*c.* 38. *p.* 560.—*c.* 39. *p.* 570. and *p.* 568. where he hath theſe words: "Appeals, of ancient time wont to be made out of 'France to *Rome*, no way prove the Biſhop of *Rome* to 'be Univerſal Biſhop; unleſs we will acknowledg every 'one of the Patriarchs to have been ſo too: it being 'lawful to appeal unto them out of any, the remoteſt, 'Provinces ſubject to them. And *c.* 38. *p.* 560. where Dr. *Field* confeſſeth, that *Leo* (who liv'd in the time of the fourth General Council) conſtituted *Anaſtaſius* Biſhop of *Theſſalonica* his Vicegerent for the parts thereabouts, as others his Predeceſſors had done former Biſhops of that Church; 'which, (ſaith he) cauſing great 'reſort thither upon divers occaſions, may be thought 'to have been the reaſon, why the Council of *Sardica* '(*Can.* 20.) provideth, that the Clergy-men of other 'Churches ſhall not make too long ſtay at *Theſſalonica* '[this Council of *Sardica* was about twenty years after 'that of *Nice*.] So the ſame *Leo* made *Potentius* the 'Biſhop his Vicegerent, in the parts of *Africa*; *Hormiſda* 'Biſhop of *Rome* about *ann.* 500. *Saluſtius* Biſhop of '*Hiſpalis*, in *Betica* and *Luſitania*; and *Gregory*, *Virgilius* 'Biſhop of *Arles*, in the Regions of *France*: all theſe 'places being within the compaſs of the Patriarchſhip 'of *Rome*. And the ſame may be ſaid of the Biſhop of '*Juſtiniana prima*; who was appointed the Biſhop of

'*Rome's*

'*Rome's* Vicegerent in thoſe parts, upon ſignification of 'the Emperor's will and deſire that it ſhould be ſo. Thus he. To this I will add, the teſtimony of *Innocent* I. Biſhop of *Rome* in St. *Auſtin*'s time, who (*Epiſt.* 1. *Decentio Epiſcopo Eugubino*) preſcribing ſome Roman Orders to be obſerv'd in the Weſtern Churches, there gives a more particular reaſon of their obedience, to obſerve the Rules and Cuſtoms of the Roman See; namely, their converſion to Chriſtianity by it; *Quis enim neſciat* (ſaith he) *aut non advertat id, quod a Principe Apoſtolorum Petro Romanæ eccleſiæ traditum eſt, ac nunc uſque cuſtoditur, ab omnibus debere ſervari, &c.—præſertim, cum ſit manifeſtum, in omnem Italiam, Gallias, Hiſpanias, Africam, atque Siciliam, inſuluſque interiacentes, nullum inſtituiſſe Eccleſias, niſi eos, quos venerabilis Apoſtolus Petrus, aut ejus ſucceſſores conſtituerunt ſacerdotes, &c.* And afterward he ſaith, *Quibus* [*i.e. Decentius* his propoſals] *idcirco reſpondimus, non quod te aliqua ignorare credamus, ſed ut majori authoritate vel tuos inſtituas, vel, ſi qui a Romanæ eccleſiæ inſtitutionibus errant, aut commoneas, aut indicare* [*i.e.* to the Biſhop of *Rome*] *non differas, ut ſcire valeamus, qui ſint, qui aut novitates inducunt, aut alterius eccleſiæ, quam Romanæ, exiſtimant conſuetudinem eſſe ſervandam.* The ſufficiency of the reaſon given here I will not now diſpute; but this appears, that over all thoſe Churches he then exercis'd ſome authority. And ſee below (§ 23. and elſewhere) many inſtances of the Roman Biſhops authority exercis'd over the Biſhops of *France*, of *Spain*, and other Weſtern Provinces, before the ſitting of the firſt Council of *Nice*; to all which therefore, and not only to the *regiones ſuburbicariæ*, muſt the 6th *Nicene* Canon [*Mos antiquus perduret*] be extended.

§ 4. *The second, the Bishop of Alexandria.* Thus much of the first Patriarch, The second was the Bishop of *Alexandria*; containing under his Patriarchship, all the Archbishops and Bishops of *Egypt* and *Lybia*.

§ 5. *The third, the Bishop of Antioch.* The third, of *Antioch*; containing under him all the Archbishops and Bishops of the East; and amongst the rest, the Bishop of *Jerusalem*, whose Metropolitan, as also of all *Palestine*, was the Bishop of *Cæsarea*: But he subject to the *Antiochian* Patriarch. See *Hierom's* Epistle to *Pammachius* against *John* Bishop of *Jerusalem*,—*Ni fallor hoc ibi* [*i. e. in Concilio Niceno*] *ut Palestinæ Metropolis Cæsarea sit; & totius Orientis Antiochia. Aut igitur ad Cæsariensem Archiepiscopum referre debueras, cui, spreta communione tua, communicare nos noveras; aut si procul expetendum judicium erat, Antiochiam potius literæ dirigendæ.*

§ 6. *From whence their superiority over other Bishops.* And these three Bishops had a superiority to the rest, from most ancient custom and tradition, which was rather confirm'd, than given, to them in the *Nicene* Council, as appears by those words in the 6th Canon thereof, [*Mos antiquus perduret;*] and by those in the 7th (concerning some Honour also allow'd to the Bishop of *Hierusalem*, yet [*manente Metropolitanæ civitatis dignitate*]) —*Quoniam mos antiquus obtinuit & vetusta traditio.* Such expressions we find also in *Conc. Antioch. can.* 9. [*secundum antiquam a patribus nostris regulam constitutam*;] and in *Conc. Ephes. can.* 8. [*singulis Provinciis pura & inviolata, quæ jam inde ab initio habent, jura serventur*]; wherein the Councils shew themselves very zealous for preserving all ancient customs and privileges. So St. *Ignatius* the Martyr, living presently after

after the Apoſtles times, in his Epiſtle to the *Romans*, ſtiles himſelf the Paſtor of the Church in *Syria*; becauſe that whole Region belong'd alſo in thoſe times to the Metropolis of *Antioch*, as Dr. *Hammond* obſerves out of him (*Sch. p.* 50.) And this ſuperiority over the reſt theſe three Metropolitans had, as was anciently conjectur'd, from St. *Peter* (who was firſt, or Primate of the Apoſtles) his being Biſhop of *Rome*; and formerly of *Antioch*; and his having alſo (by his Diſciple *Mark*, ſent thither) a more particular relation to the Church of *Alexandria*. Theſe therefore were call'd *Apoſtolicæ ſedes* (which title was alſo ſometimes anciently communicated to ſome other Churches beſides theſe, where any of the Apoſtles had for any long time made their reſidence, as to *Epheſus*, to *Jeruſalem*, *&c.*): but, κατ' ἐξοχὴν, the *Roman* See, the laſt and moſt eminent Seat of the two greateſt Apoſtles, St. *Peter* and St. *Paul* (not diſputing here what ſubordination there was between theſe two, whoſe Government the Divine Wiſdom thought meet to conclude in one and the ſame Succeſſion) is ſo ſtiled. Which place, from this rather, than from the ſecular eminency and power of that City, or from any other cauſe whatever, (if we may judg by the ſuffrages of Antiquity), had the Honour and Primacy above all other Churches. The ſecular eminency of that City was the reaſon indeed mention'd by the Biſhops in *Conc. Chalc.* (*Act.* 16. *propter imperium civitatis illius.*]) becauſe they endeavour'd the advancement of the *Conſtantinopolitan* Biſhop (the Patriarch of *Alexandria*, *Dioſcorus*, being condemn'd by that Council as a Defender of *Eutyches*) to the ſame priviledges with the *Roman* (in the ſecond place) upon the like grounds: But a reaſon diſclaim'd by *Leo*, the then Biſhop of *Rome*, and by his Legates; and a reaſon alſo omitted and left out

Vid. Bell. de Roman. Pont. l. 3. *c.* 2. *l.* 2. *c.* 27.

out by themſelves, when they writ to *Leo* for his confirmation of their Canons; who there give another reaſon of his Primacy, *viz.* his Succeſſorſhip in St. *Peter's* chair, as appears below, § 25. *n.* 2. [See alſo *Syricius* (Biſhop of *Rome* A.D. 389.) his Epiſtle *ad Epiſcopum Tarraconenſem*, a city in *Spain*: *—Nobis major cunctis Chriſtianæ religionis zelus incumbit. Portamus onera omnium, qui gravantur: Quinimo hæc portat in nobis Beatus Apoſtolus Petrus, qui nos in omnibus (ut confidimus) adminiſtrationis ſuæ protegit, & tuetur, hæredes.* See *Leo, ſerm.* 1. *de natali Apoſtolorum*, thus ſpeaking to *Rome*: *—Per ſacram Beati Petri ſedem, caput Orbis effecta, latius præſides religione divina, quam dominatione terrena.* And his *Epiſt.* 58. to *Anatolius*, Biſhop of *Conſtantinople*, and *Ep.* 66. to the Biſhops of *Chalced. Conc.* in anſwer to the Letter ſent from them; where he hath theſe words: *Nihil Alexandrinæ ſedi ejus pereat dignitatis, quam per Sanctum Marcum Evangeliſtam B. Petri Diſcipulum meruit. Antiochena quoque Eccleſia, in qua primum prædicante Apoſtolo Petro Chriſtianum nomen exortum eſt, in paterna* [i.e. *Patrum Concilii Niceni*] *conſtitutionis ordine perſeveret* &c. and *Ep. ad Marcianum Auguſtum*, he ſaith: *—Habeat Conſtantinopolitana civitas gloriam ſuam. —Alia tamen ratio eſt rerum ſæcularium, alia divinarum* &c. And, *in conc. Chalced.* 16. *ſeſſ.* ſee the anſwer of the *Roman* Legats: *—Contradictio noſtra his geſtis inhæreat, ut noverimus quid Apoſtolico viro Univerſalis Eccleſiæ Papæ deferre valeamus.* And ſee the confeſſions of the Council of *Chalcedon* it ſelf, in *Act.* 2. *—Petrus per Leonem locutus eſt*; and in their Epiſtle to *Leo*, ſet down below, § 25. *n.* 2. which clearly ſhews them not to have held the Primacy of the Biſhop of *Rome* to have ſprung only from the Secular greatneſs of the city, but alſo from the Succeſſion of S. *Peter*. I have ſtaid the longer upon this,

this, because of that passage in Dr. *Hammond Schism.* 5. a. 45. See the words of *Anacletus, Ep.* 3. (if those Epistles be his) in Dr. *Field* (5. *l.* 31. *c. p.* 515.) to the same purpose as *Leo's.* —See *Cyprian* (*Ep.* 55. *ad Cornelium*, Bishop of *Rome, de Fortunato & Faliciſſimo Hereticis.*) *Inſuper navigare audent & ad Petri cathedram, atque ad Eccleſiam principalem.* —And *Ep.* 52. *Antoniano. Cum Fabiani locus, id eſt, cum locus Petri—vacaret; factus eſt Cornelius Epiſcopus* i. e. of Rome after *Fabianus.* —*Irenæus*, who lived in the 2*d.* Age, (3. *l.* 3. *c.*) *Maximæ, & antiquiſſimæ, & omnibus cognitæ, a glorioſiſſimis duobus Apoſtolis Petro & Paulo fundatæ & conſtitutæ, Eccleſiæ, eam, quam habet ab Apoſtolis, traditionem, & annunciatam hominibus fidem, per ſucceſſiones Epiſcoporum uſque ad nos pervenientem, indicantes, confundimus omnes eos, qui per ſui placentiam &c, præterquam oportet, colligunt.* —*Hoſius*, in the Council of *Sardica, can.* 3. concerning Appeals to the Bishop of Rome, proposing thus: —*Si vobis placet, & Petri Apoſtoli memoriam honoremus, ut ſcribatur Julio Romano Epiſcopo* &c. —*Hieron. Ep.* to *Damaſus*, concerning the word *Hypoſtaſis*, whether he might admit it; —*Ideo mihi cathedram Petri, & fidem Apoſtolico ore laudatam cenſui conſulendam.* —*Apud vos ſolos incorrupta Patrum ſervatur authoritas,* [alias, *hæreditas.*] —*Ego nullum primum niſi Chriſtum ſequens, Beatitudinis tuæ i. e. cathedræ Petri communione conſocior; ſuper illam Petram ædificatam Eccleſiam ſcio.* And in another *Ep. ad eundem.* —*Si quis, cathedræ Petri jungitur meus eſt. Greg. l.* 4. *Ep.* 36. *Quod mox idem deceſſor meus ut agnovit, directis literis, ex authoritate S. Petri Apoſtoli, ejuſdem Synodi acta caſſavit.* And *l.* 6. *Ep.* 37. *Eulogio Epiſcopo Alex.* —*Quis neſciat ſanctam Eccleſiam in Apoſtolorum Principis ſoliditate firmatam* &c. —*Cum multi ſint Apoſtoli, pro ipſo tamen principatu ſola Apoſtolorum Principis ſedes in authoritate convaluit,*

luit, quæ in tribus locis unius est. Ipse enim sublimavit sedem, in qua etiam quiescere & præsentem vitam finire dignatus est. Ipse decoravit sedem, in qua Evangelistam discipulum misit. Ipse firmavit sedem, in qua septem annis, quamvis discessurus, sedit. Cum ergo unius atque una sit sedes, cui ex authoritate divina tres nunc Episcopi præsident, quicquid ego de vobis boni audio, hoc mihi imputo. Concil. Gen. 8. at *Constantinople, can.* 21. *–Quisquis autem tale facinus contra sedem Petri Principis Apostolorum ausus fuerit intentare* &c. By these passages you see the Primacy and Priviledges (whatever they were) of the *Roman* Bishop, anciently imputed to his Succession in the See of S. *Peter* and S. *Paul*, and not (or not chiefly, or only) to the Secular eminency of *Rome.*]

But a chief reason also of the so high advancement of these three cities above all the rest, (notwithstanding that there were some other Apostolical Seats, *Hierusalem, Ephesus*, preferable before *Alexandria*, and many other cities more dignified, as was urged by the *Roman* Bishops against that clause in *Conc. Chalced.* [*propter imperium civitatis Romæ*] than either *Alexandria*, or *Antioch,*) seems to be, because these cities, in the beginning and first spreading of Christianity in those several quarters of the world, the East, the West, and the South, were repleniſhed with a much greater number of Christians than others, and were the Mother-churches of all the rest. These three cities, as Dr. *Hammond* notes, (*Schism. 3. c. p.* 58.) " having the honour to disperse 'Christianity in a most eminent manner to other cities 'and nations. For the Churches of *Asia* were converted by Emissaries from *Antioch*, (*Act.* 13. 2,4.) and those of *Egypt* &c, from *Alexandria*; and the Western, from *Rome.* Concerning which, see the testimony of *Innocentius* the first, Pope, *A. D.* 408. in his Epistle to

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Decentius Bishop of *Eugubium*, quoted before 3. §. Tho I do not deny, that *Alexandria* in *Egypt*, having bin the Seat of the Successors of *Ptolomy*, and *Antioch* in *Asia* of the Successors of *Seleucus*; and, under the *Romans*, being the place of Residence of those their Governors, who were set over the adjacent Provinces; this might somewhat advance the propagation of Christianity more from these cities of so great resort, than from others.

§ 7. *The See of* Constantinople *advanced to a Patriarchate, in the next place to* Rome.

In the 2*d*. General Council, A. D. 381. *Constantinople*, being now made great, by the Seat of the Empire translated thither, its Bishop was advanced into a fourth Patriarch; and that in the second place next to *Rome*; which thing was also confirmed in the 4. *Gen. Conc. Chalced.* granting him (*Act.* 16.) *æqua senioris regiæ Romæ privilegia*, i.e. (as they there, and in their Letter to *Leo* (*Act.* 3.) explain themselves,) to exercise, in such a sence, as the 2*d*. General Council had decreed before them, a Patriarchal authority; in ordaining the Metropolitans of certain Provinces, and the Bishops also in some others; as also to have the last place of Appeal (*Can.* 9.) in respect of those parts of the Church, with this *salvo* annexed in behalf of the *Roman* Bishop; *omnem quidem primatum, & honorem præcipuum* (*secundum Canones*) *Antiquæ Romæ Archiepiscopo conservari*; and (as it is said in the 2*d*. General Council 5th *Can.* to which former Canon they refer) ~~*Constantinopolitanæ Civitatis Episcopum habere oportere primatus honorem post Romanum Episcopum, propter quod sit Nova Roma.*~~ tho this priority of the Bishop of *Constantinople* to *Alexandria* and *Antioch* was in this Council of *Chalcedon* much opposed in the behalf of those two Sees (*Dioscorus* then Bishop of *Alexandria* being excluded from this Council

for Heresy, and so at this time uncapable of pleading for himself) by *Leo* the then Bishop of *Rome*. And it seems, that the former 5*th* Canon (but now recited) made by the Bishops in that part of the 2*d*. General Council which was assembled at *Constantinople*, as also the three other Canons there preceding it (which were recited in *Concil. Chalced.* Act. 16.) were either unknown, or not at all regarded, by the other part of the 2*d*. General Council, the Western Bishops, who were assembled shortly after that time at *Rome*. For thus saith *Leo* of these Canons or Acts, in *Ep.* to *Anatolius* Bishop of *Constantinople*, —*Nunquam à prædecessoribus tuis ad Apostolicæ Sedis transmissa notitiam*; and thus his Legats in *Conc. Chalced.* 16. Act. —*Quæ in Synodicis Canonibus non habentur*. Neither indeed was any such Canon mentioned by the *Constantinopolitan* Bishops of the 2*d*. General Council, when they writ to *Damasus* concerning its Acts. (See 1. *tom. Constantinop.*) Nor was this foresaid 5*th* Canon, (when most opportunely it might) but only the *Nicene* 6th Canon pleaded by S. *Chrysostom* against *Theophilus* Bishop of *Alexandria*, offering to judge and depose him. Wherefore *Baronius* conceives it to be made only by a part of that Council, after *Timotheus* the Bishop of *Alexandria* was departed thence. But, however, this Patriarch was, not long after that contention of *Leo's*, rather by their not contradiction, than approbation), indulged that honour also by the *Roman* Bishops themselves, (doubtless as conceiving it no abridgment of their own authority,) some Metropolitans being taken from the other Patriarchates, and subjected to it. The great extent of which Patriarchy (in latter times especially) if you be curious to know, see Dr. *Field* 3. *l.* 1. *c.* where he assigns, for one reason of such an enlargement of its jurisdiction, "the conversion of sundry nations

The great extent of this Patriarchate in latter times.

"nations and people to the Christian faith by that "Bishops Suffragans, and Ministers.

§. 8. *The See of Jerusalem raised to a Patriarchate in the 5th place.*

Again, in the *5th* Gen. Council, about *A.D.* 550. the Bishop of *Hierusalem*, out of honour to the Holy City, was made the *5th* Patriarch; (after some honour and respects beyond other Bishops first given (or rather wished) to him by the *Nicene* Council; see 7. *Canon.*) some Bishops both from that of *Alexandria* and *Antioch* being translated to his Jurisdiction.

§. 9. *The authority of Patriarchs, and other Ecclesiastical Governors, for the ordinations, or confirmations, and for judging the causes (upon appeal) of their inferiors.*

Amongst these above-named Dignities Ecclesiastical, the Metropolitans were to ordain or confirm the Bishops of their Province, and the Patriarch was to ordain or confirm the Metropolitans subject unto him, either by imposition of hands, or by mission of the Pall. [See *Concil. Chalced.* 27. *c.* and 16. Action: where, advancing the *Constantinopolitan* Bishop to Patriarchal authority, in the second place to *Rome*, they conclude, *quartere & ipsum potestatem habere ordinare Metropolitanos*, &c. *& ut penes eum sit, hunc, qui electus est, confirmare, repudiareve.* See 8. *Gen. Conc. Constant.* 17. *c.* —See Dr. *Field* 5. *l.* 31. *c. p.* 518. —"Patriarchs were, by the 'order of the 8. General Council *Can.* 17. to confirm 'the Metropolitans, subject unto them, either by imposition of hands, or giving the Pall. —And 5. *l.* 37. *c. p.* '551. Without the Patriarch's assent none of the Metropolitans subject unto them might be ordained. And '—What they bring (*saith he*) proves nothing that we 'ever doubted of. For we know the Bishop of *Rome* 'had the right of confirming the Metropolitans within 'the precinct of his own Patriarchship, as likewise every 'other Patriarch had: and that therefore, he might 'send the Pall to sundry parts of *Greece*, *France*, and

'*Spain*, (as *Bellarmin* alledgeth,) being all within the 'compaſs of his Patriarchſhip. —See Biſhop *Bramhal*, (*vindic.9.c.p.*257. &c. "What power the Metropolitan 'had over the Biſhops of his own Province, the ſame 'had a Patriarch over the Metropolitans and Biſhops of 'ſundry Provinces within his own Patriarchate. And afterwards: "Wherein then conſiſted Patriarchal au-'thority? in ordaining their Metropolitans, (for with 'inferior Biſhops they might not meddle,) or confirm-'ing them, in impoſing of hands, or giving the Pall, in 'convocating Patriarchal Synods, and preſiding in 'them, *&c*, —when Metropolitical Synods did not 'ſuffice to determin ſome emergent differences or diffi-culties. Thus he. Neither might any Metropolitan upon any cauſe ſeparate himſelf from the communion of his Patriarch, before the examination and ſentence of a Council firſt paſſed in his behalf. See 8. General Council, 10. *c.* whoſe words are, —*Nullus Clericus ante diligentem examinationem & Synodicam ſententiam a communione proprii Patriarchæ ſe ſeparet, licet criminalem quamlibet cauſam ejus ſe noſſe prætendat; nec recuſet nomen ipſius referre inter divina myſteria. Idem ſtatuimus de Epiſcopis erga proprios Metropolitas; ſimiliter & de Metropolitis circa Patriarcham ſuum. —Qui vero contra fecerit, ab omni Sacerdotali operatione & honore decidat. Ante Synodicam ſententiam*, i. e. of a Council ſuperior to the Metropolitan: for the lower cannot judge the higher, (no, not tho aſſembled together in a council, See Dr. *Field l.5.c.*39. p. 567.) as an Epiſcopal Synod cannot judge the Metropolitan.] And the firmlier to bind and confine the inferior, to the judgment of the ſuperior, orders of the Clergy, the Church made frequent Canons againſt their ſtarting aſide by appeals to the judgment of Seculars, whether of others, or alſo of the Emperor himſelf.

See

See *Concil. Antiochen.* 11. *c.* 12. *c.* —*Concil. Sardica.* 8. *c.* *Concil. Chalced.* 9. *c.* *Si Clericus adversus Clericum habeat negotium, non relinquat suum Episcopum, & ad sæcularia judicia non concurrat* &c. —*Conc. Melevitanum* 19. *c.* *Placuit, ut quicunque ab Imperatore cognitionem judiciorum publicorum* [i.e. Ecclesiasticorum] *petierit, honore proprio privetur*, &c. And see *Conc. Generale* 8. *c.* 17. *&* 21. This for Patriarchs superiority over, and their cotfirmation of, Metropolitans.

Next, amongst the Patriarchs themselves; it seems the lower received no ordination from the higher. But yet some confirmation, or approbation, they seem ordinarily to have had from their Superiors, or at least from the *Roman* Patriarch, by those words of *Leo*, (*Ep.* 54. *ad Martianum*, the then Emperor,) concerning *Anatolius* Bishop of *Constantinople*. *Satis est, quod prædicto vestræ pietatis auxilio, &* mei favoris assensu, *Episcopatum tantæ Urbis obtinuit.* And, —*custodire debuit, ut quod nostro beneficio noscitur consecutus, nullius pravitatis cupiditate turbaret. Nos enim vestræ fidei, & interventionis habentes intuitum, cum secundum suæ consecrationis authores ejus initia titubarent, benigniores circa ipsum, quam justiores, esse voluimus; quo perturbationes omnes, quæ operante Diabolo fuerunt excitatæ, adhibitis remediis leniremus.* Thus discourseth the Pope to the Emperor, conscious of all those proceedings, concerning his establishing of the *Constantinopolitan* Patriarch: and by the suit made to the Pope, concerning the settlement of *Flavianus* in the Patriarchy of *Antioch*; of which see *Theodoret, hist. Eccles.* 5. *l.* 23. *c.* Likewise concerning the confirming of superior Patriarchs by the inferior, that is true, which Dr. *Field* (5. *l.* 37. *c.* p. 551.) saith, in answer to such places urged by *Bellarmin*, That the manner was, that "the Patriarchs should (upon notice given of their due ordination

§ 10.

'Ordination, and Synodal letters, containing a profession 'of their Faith) mutually give assent one to another. Therefore *Cyprian, Antoniano Ep.* 52. speaks thus concerning the legitimate election of *Cornelius* Bishop of *Rome*, whom *Novatianus* endeavoured to supplant. *Factus est Cornelius Episcopus, cum Fabiani locus vacaret, quo* [loco] *occupato de Dei voluntate, atque omnium nostrûm consensione firmata, quisquis jam Episcopus* [Romæ] *fieri voluerit, foris fiat necesse est* &c. But that which Dr. *Field* adds there, *viz.* "That the confirming of the great "Bishops of the world pertained no otherwise to the Bi"shop of *Rome*, than the right of confirming Him per"tained unto Them, cannot justly be defended, even from his own concessions elsewhere, *l.* 3. c. 4. p. 528. &c. of which see more below § 24.) For no other Bishop could be a lawful Patriarch, without the approbation of the Bishop of *Rome*, the prime Patriarch: whose withdrawing his communion from any was withdrawing the communion of the whole Church, which hath always continued united to this Apostolick chair; and yet the Bishop of *Rome* was lawfully such without the approbation of every other Patriarch, so long as his election is not disallowed by the conjunct Hierarchy, or the whole representative of the Church gathered togegether in a Council, as it happened in the Council of *Constance*. He may have an authority over other Bishops or Patriarchs single, which none of them singly hath over him: and yet all of them conjoin'd may have the same authority over Him, as he hath over any of them single; one *singulis major*, may be *minor universis*. Of which see more below, § 22. *n.* 2. and in 2. *Part.* § 20.

Likewise

Likewise, Appeals were permitted from inferior Ecclesiastical, to superior, Judges and Courts; but not of all causes and persons whatever to the supreamest Court; lest so should be no end of contentions. So the inferior Clergy in their differences might appeal from their Bishop to their Metropolitan and his Council, Provincial, or National, who were finally to determine such controversies; and such persons to acquiesce in them. Again; Bishops might appeal from their Metropolitan, or from any inferior Courts, to their Patriarch, and his Council; whose final decision, in ordinary contests, they were to rest in; and who, from the remotest of his Provinces, upon appeal, might either bring the cause to be heard by himself, if the moment of the business so requir'd; or send *e latere suo presbyteros*, (to use the expression of the *7th can.* of *Sardic. Conc.*) or depute some other Bishops of that, or some other neighbouring, Province, to hear the matter, where it was acted: Or lastly, command the Appealant to acquiesce in the former sentence given. See for both these, the Appeals of inferior Clergy, and also of Bishops, *Conc. Chalced. can.* 9. (compar'd with *Conc. Nic. 6 can.* and *Conc. Const. 1. can.* 5.) —*Si Clericus adversus Clericum habet negotium, agitetur apud proprium Episcopum.—Si Clericus adversus suum vel alium Episcopum habeat causam, apud audientiam Synodi Provinciæ conqueratur. Si vero contra ipsius Provinciæ Metropolitanum Episcopum Episcopus sive Clericus habeat controversiam, pergant ad ipsius Diœcesis* (a word in those times of larger extent than that of Province; one Diocess containing in it many Provinces) *Primates, aut certe ad Constantinopolitanæ regiæ civitatis sedem.—Ad Constant. sedem*; because by the Eastern Bishops both in this, and in the second General Council, the second Dig- § 11. *n.* 2.

Dignity amongst the Patriarchs, or Primates, after *Rome*, was conferr'd on him; and therefore by this Canon we may gather, That the same repair, as was in such causes permitted to be made in the East to the *Constantinopolitan*, might as Canonically be made in the West to the *Roman*, Patriarch. For whatever privilege the *Constantinopolitan* Bishop had, the *Roman* had in the first place. See *Conc. Sard. can.* 3, 4, 7, 17.—*Can.* 3. (proposed by *Hosius*, President formerly in the *Nicene* Council,) *Si in aliqua Provincia aliquis Episcopus contra fratrem suum Episcopum litem habuerit, unus de duobus ex alia Provincia advocet Episcopum cognitorem. Quod si aliquis Episcopus judicatus fuerit in* [*aliqua*] *alia causa, & putat se bonam causam habere, ut iterum Concilium renovetur, si vobis placet S. Petri Apostoli memoriam honorentur, ut scribatur ab his qui causam examinarunt, Julio Romano Episcopo: & si judicaverit renovandum esse, judicium renovetur; & det Judices. Si autem probaverit talem causam esse, ut non rescindentur ea, quæ acta sunt, quæ decreverit confirmata erunt; si hoc omnibus placet: Synodus respondit, Placet.*—*Can.* 4. *Cum aliquis Episcopus depositus fuerit eorum Episcoporum judicio, qui in vicinis locis commorantur, & proclamaverit; agendum sibi negotium in urbe Roma, alter Episcopus in ejus Cathedra, post appellationem* [*i.e.* to Rome] *ejus qui videtur esse depositus, omnino non ordinetur, nisi causa fuerit in judicio Episcopi Romani determinata.*—*Can.* 7. *Si Episcopus accusatus fuerit, & congregati Episcopi regionis ipsius judicaverint, & de gradu suo eum dejecerint, si appellaverit; qui dejectus est, & confugerit ad Episcopum Romanæ Ecclesiæ, & voluerit se audiri,* [which was the course which *Athanasius* Bishop of *Alexandria*, and *Paulus* Bishop of *Constantinople*, had taken just before this Council, tho they no Bishops of the Western Patriarchy, who also were members of this Council,] *si justum*

justum putaverit, [*i.e.* Romanus Episcopus,] *ut renovetur judicium vel discussionis examen, scribere dignetur his Episcopis, qui in finitima & propinqua Provincia sunt, ut ipsi diligenter requirant, & juxta fidem veritatis definiant. Quod si is, qui rogat causam suam iterum audiri, deprecatione sua moverit Episcopum Romanum, ut e latere suo Presbyterum mittat, sit in potestate Episcopi* [*i.e.* Romani] *quid velit, & quid æstimet. Et si decreverit mittendos esse, qui præsentes cum Episcopis judicent, habentes ejus authoritatem a quo destinati sunt, erit in suo arbitrio. Si vero crediderit Episcopos sufficere,* [*i.e.* without his Legats,] *ut negotio terminum imponant, faciet, quod sapientissimo consilio judicaverit.* Can. 17. *Si Episcopus forte iracundus (quod esse non debet) cito & aspere commoveatur adversus Presbyterum sive Diaconum suum, & exterminari eum de Ecclesia voluerit; providendum est, ne innocens damnetur, aut perdat communionem, & ideo habeat potestatem is, qui abjectus est, ut Episcopos finitimos interpellet, & causa ejus audiatur, ac diligentius tractetur, quia non oportet ei negare audientiam roganti,* &c.

Thus (probably with some eye to the Justification of *Julius* his proceeding, concerning *Athanasius*, which were reproach'd by the oriental *Arian* party) this great Council assembled about twenty years after the *Nicene*, and establishing the Decrees thereof; having the same President, or chief Prolocutor, in it, with the Council of *Nice*, (*Hosius* Bishop of *Corduba*) and several other Bishops of the *Nicene* Council, and men eminent in sanctity, (to omit *Athanasius*), *Maximus* Bishop of *Jerusalem*, *Paphnutius*, *Serapion*, *Spiridion*, and others: call'd Oecumenical by *Socrates*, *l.* 2. *c.* 17. both the Emperors concurring in the calling thereof: and it being subscrib'd, tho not by the *Arrian* party (a few in comparison, § 11. *n.* 2.

bearing the proportion of 76 to about 300; who seeing, they should be over-voted, departed from the Council), yet by the Orthodox Oriental, as well as Western, Bishops, namely, by *Athanasius*, by *Maximus* Bishop of *Jerusalem*, and by the Bishops of *Palestine*, (who most-part adher'd to *Athanasius*, and the *Nicene* Decrees), by *Diodorus* Bishop of *Asia minor*, *&c.* (see the Council).

Notwithstanding all which, some have endeavour'd to disauthorize the Canons thereof, as giving the Roman Bishop too great an authority. See *Spalatensis l.* 4. *c.* 8. *n.* 34. where against these Canons he urgeth: α *α.* That, *in corpore antiquo Canonum universalis Ecclesiæ, quo Oriens semper usus est, nullus Sardicensis Canon locum habuit*: β That *Patres Africani Canoni Sardicensi nihil deferre voluerunt, ubi enim cognoverunt Canonem non esse Nicænum, illum contempserunt.* That *Zosimus, si Sardicenses tunc Canones fuissent alicujus authoritatis, non eum dixisset esse Nicænum; sed id quod erat aperte dixisset,* ſ *esse Canonem Sardicensem & servandum.* γ. Lastly, that *Photius*, about *Anno D.* 860 *expresse negavit Nicolao Papæ Canonem Sardicensem* 13*um ejus ordinationi objicienti se Sardicense Concilium, aut alia Pontificum decreta, habere vel recipere.* But in answer to these. To α I oppose,

To α. 1. What Cardinal *Perron* replied long since to *Causabon*, 1. *l.* 53. *c.* —"That the leaving these Canons out 'of the *Codex Canonum Ecclesiæ universalis* is against the 'Faith of all the Greek Canonists, *Photius*, *Zonaras*, *Bal-'samon*, *Harmenopulus*, and against the Greek impressions 'even of *Basil*, *Wirtenberg*, and other Protestant towns; 'and, in sum, against the verity of all the Greek Codes, 'as well Printed, as Manuscripts, of all the Libraries, 'Occidental, and Oriental. Thus *Perron*.

2. What just cause can be alledged for the rejection of these Canons? *Spalatensis* alledgeth this, (*ibid.*) *quia Sardica*

Sardicæ factum eſt ſchiſma. But this Schiſm and departure being made by an inconſiderable party, (theſe ſome 76, and the other ſome 300, with the prime Patriarch joined with them, and ſome eminent Oriental Biſhops amongſt them,) leſt they ſhould be overpowred; how could they do more to diſauthorize theſe Canons, by being divided from the Council, than they could have done, by reſiding in it, and voting againſt them? But the diſſenting votes of ſo few in the council ſurely could not weaken its acts; which receive force, not from all, (for what acts almoſt have ſuch univerſal conſent?) but from the much major part thereof. But if theſe Canons, without the concurrence of thoſe perſons, were invalid; ſo was alſo the Anti-*Arrian* Creed of this Council, and their ſentence in the behalf of *Athanaſius*. And indeed hence, where there is any Schiſm by ſome part, no act of the Church can thence-forward be valid. For example: What act of the Church Catholick could be valid at that time againſt the *Arians*, if theſe of *Sardica* were not?

3. Let it be granted, that theſe Canons, rejected at firſt by theſe Schiſmaticks, were afterward for ſome time, in the Eaſt, omitted by the Catholicks in their collections of the Churches Canons; yet it ſeems ſufficient, that the Oriental Church of latter times, when the *Arians* were cruſhed, acknowledged them, as well as the Weſt; which we find done by the *Concil, Conſtantinopolitan. in Trullo. Can.* 2. *Obſignamus reliquos omnes Canones, qui a ſanctis noſtris Patribus* &c *expoſiti ſunt,—ſimiliter & ab eis qui Sardicæ convenerunt.*

4. For the equity of theſe Canons, if we conſider any obligation which they lay upon theſe Weſtern parts of the Church, in reſpect of the Biſhop of *Rome*, it is no greater than the acknowledged-General Council of

Chalcedon layeth on the East, in respect of the Bishop of *Constantinople*, Can. 9.

5. However it be; the acts of such a Council, wherein the Western Bishops are conceded to have unanimously agreed, are obligatory to the West; and particularly to *Africk*, from whence were present therein 35 Bishops consenting thereto; and no dislike thereof afterwards profest by the *African* Church of that present time. Nay *Gratus*, Primat of *Carthage*, who was present in this Council, quoteth the authority thereof in 1. *Conc. Carthag.* 5. Can. —*Memini in sanctissimo Concilio Sardicensi statutum* &c: But had its Canons bin disallowed by the *African* Church, his quoting them would have prejudiced his matter. Therefore To

To 6. 6. I say; neither were these Canons opposed by the *African* Council (which contested with *Zosimus* about them) above 60 years after, as known to them to be *Sardican* Canons, but only because they were utterly ignorant thereof. for tis clear by S. *Austin's* words, *contra Crescon. 3. l. 34 c.* and *Ep. 163. ad Eleusium*, that he, who may be presumed as knowing as any other of that Synod, knew of no *Sardican* Decrees at all, save those made by the separated *Arians*, I know not where, and called by them *Sardican* Canons; of which he came to have notice only casually from the *Donatists*; and, perusing the Book they shewed him, found them to be made by the *Arians*; because (saith he) *legi Athanasium & Julium illo Conc. Sardicensi fuisse improbatos.* (Ep. 163.) But it had bin some advantage to his matter then in hand, had he produced any true and Orthodox Council of *Sardica*, opposit to this, who defended *Athanasius*; but of this he is silent. Neither will this altogether seem so strange, when as in another matter we find him confessing himself ignorant also of a Canon of *Nice*, that there

"There may not be two Bishops resident of the same "place at once. See *Austin Epist.* 110. *Quod Concilio Nicæno prohibitum fuisse nesciebam, nec ipse* [*Valerius*, the former Bishop of *Hippo*] *sciebat.* Neither did *Zosimus*, in all probability, know these Canons, which he urged to the *Africans* as the *Nicene*, to have bin the Canons of *Sardica*; for else we would have pressed them for such, being thus as obligatory to the *Africans*, as if they had bin the *Nicene*. To 9. *Photius*, a single person his rejecting these Canons, when opposite to him, in a matter so nearly concerning himself, 200 years after the Eastern Council in *Trullo* had acknowledged them amongst the rest, is to be looked on as a piece of passion: and his own putting these Canons also amongst the rest in his *Nomo-canon*, (see *Balsam. in Nomo-can. Photii*) is a sufficient self-condemnation. To 5.

Thus much for vindicating the authority of this Council. Of which thus Mr. *Thorndike*. Epilog. 3. l. 20. c. p. 181. —"This difference came afterward to be tried 'by a General Council at *Sardica*, &c. For surely the 'Council of *Sardica* was intended for a General Council, 'as the Emperor *Justinian* reckons it, being summoned 'by both the Emperor *Constantius* and *Constans* out of 'the whole Empire. [*and*] when the breach fell out, 'and the Eastern Bishops withdrew themselves to *Philo-popolis*, the whole power, in point of right, ought, I 'conceive, to remain on that side which was not the 'cause of the breach. But the Success sufficiently shew-'eth, that it did not so prevail, [*was not obeyed, and 'submitted to by all, as a General Council,*] for many a 'Council [*which followed after this about the Arian opi-'nions,*] might have bin spared. The sovereign re-'gard of peace in the Church suffered not those, that 'were in the right, to insist upon the acts of it, as I sup-

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'pose. In the mean time the Canons thereof, whereby 'Appeals to the Pope in the causes of Bishops are setled, '(whether for the West, which it represented, or for the 'whole [*Church*] which it had right to conclude, '[*those Bishops that voted in it*] not having caused the 'breach,) shall I conceive [*them*] to be forged, because 'they are so aspersed? they having bin acknowledged 'by *Justinian*, translated by *Dionys. Exiguus*, added by 'the Eastern Church to their Canon-law? Or, shall I 'not ask [*rather*], what pretence there could be [*in 'these Canons*] to settle Appeals from other parts to '*Rome*, rather than from *Rome* to other parts, had not a 'preeminence of power, and not only a precedence of 'rank, bin acknowledged originally in the Church of *Rome*? Thus Mr. *Thorndike* candidly of this Famous Council.

§ 12. *A Digression concerning the controversy between the Bishops of Africk and Rome about Appeals.*

The 7*th* and 17*th* Canons of this Council above recited, the Bishop of *Rome* urged, by mistake, to the 6*th Carthaginian* Council, contesting with him about Appeals, for Canons of *Nice*. By *mistake*, I say: For these two Canons are found *verbatim* the same, with those, which the Pope sent to the *African* Bishops; as appears by their Epistle to *Boniface*, wherein the Canons are set down: And the 17*th* Canon, it seems, was understood (I say not whether *rightly*) by the Bishop of *Rome* in such a sence; as that it established his, as well as the *finitimi Episcopi's*, receiving the appeals of Presbyters. which appears, by his pressing that canon to them; by his admitting the appeals of *Apiarius* only a Presbyter, the occasion of this controversy; and by the *African* Bishops opposing him in their Epistle to *Celestine*, as well concerning Presbyter's as Bishops appeals to *Rome*. These canons of *Sardica* (as I have shewed out of S. *Austin*)

ſtin) tis probable that the *African* Biſhops had not ſeen, tho they had the conſent alſo of their predeceſſors; there being no leſs than 35 Biſhops from *Africk* in that council, (*Athan. Apol.* 2.) and therefore, upon their not finding them amongſt the *Nicene*, as was pretended, nor knowing them to be of the orthodox council of *Sardica*, they requeſt; That neither the appeals of Presbyters, nor yet of Biſhops, might thenceforth be admitted, from thence, by the *Roman* Biſhop, but that their cauſes might finally be decided by their Metropolitan, or a Provincial Council, defending themſelves with the *5th* and *6th* canons of the *Nicene* Council: Their words are theſe. —*Impendio deprecamur* &c, *ne a nobis excommunicatos in communionem ultra velitis accipere; quia hoc etiam Nicæno Concilio definitum facile advertet Venerabilitas tua. Nam etſi de inferioribus clericis vel laicis videtur ibi præcaveri, quanto magis de Epiſcopis voluit obſervari, ne in ſua provincia communione ſuſpenſi a tua ſanctitate vel feſtinato, vel præpropere, vel indebite videantur communioni reſtitui? Decreta Nicæna* [can. 4.6.] *ſive inferioris gradus clericos, ſive ipſos Epiſcopos, ſuis Metropolitanis apertiſſime commiſerunt.* —*Maxime quia unicuique conceſſum eſt, ſi judicio offenſus ſit cognitorum* (i.e. of the judges of his cauſe) *ad concilia ſuæ Provinciæ, vel etiam univerſale, provocare.* Their reaſons are, —*Unicuique Provinciæ gratiam Spiritus ſancti non defuturam* &c. —*niſi forte quiſquam eſt qui credat, uni cuilibet poſſe Deum noſtrum examinis inſpirare juſtitiam, & innumerabilibus congregatis in Concilium ſacerdotibus denegare.* Therefore they deſire him, that neither their cauſes might be judged, by himſelf at *Rome*; for *Quomodo ipſum tranſmarinum judicium ratum erit, ad quod teſtium neceſſariæ perſonæ vel propter ſexus, vel propter ſenectutis, infirmitatem* &c, *adduci non poterunt?* nor by his Legats *a latere* in *Africk*; for *hoc nulla-*

nulla invenimus Patrum synodo constitutum. —and *nulla Patrum definitione hoc Ecclesiæ derogatum est Africanæ.* much less; that he would send *executores Clericos quibusque petentibus,—ne fumosum typhum sæculi in Ecclesiam Christi videamur introducere.* *Executores* &c, who by the Secular power, the Emperor's officers there, forced, if need were, the observation of the Bishop of *Rome*'s decrees. See (*Aust. Ep.* 261.) the complaint S. *Austin* makes to the Pope of *Antonius* his threats. From which proceedings, they complain in their letter to *Bonifacius*, that they had suffered much formerly, and more than the Canons he urged, should they be found in the *Nicen* Council, did impose upon them. And the same dislike of Appeal to *Rome* may be found, before these times, in S. *Cyprian*, (Ep. 55. to *Cornelius* Bishop of *Rome*) at least in reference to those particular persons, *Fortunatus* and *Felicissimus*, notoriously guilty, and most justly condemned by a Council in *Africk*; where he pleads thus: *Nam cum statutum sit omnibus nobis, & æquum sit pariter, ut uniuscujusque causa illic audiatur, ubi est crimen admissum, & singulis pastoribus portio gregis sit adscripta, quam regat, rationem sui actus Domino redditurus: oportet utique eos, quibus præsumus, non circumcursare, sed agere illic causam suam, ubi & accusatores habere & testes sui criminis possint; nisi si paucis desperatis & perditis, minor videtur esse authoritas Episcoporum in Africa constitutorum.*

infr. § 25. n. 1.

§ 13. Thus have I given you a brief account of this difference between *Rome* and *Africk*. Mean-while tis plain; that then Appeals were ordinarily made from *Africk* to the Bishop of *Rome*, and his decrees submitted to, and executed there, and this not only before, but presently after, this contest. See below 23 §. and *Leo*'s 85 *Ep. ad Episcopos Africanos.* where he writes thus concerning

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Lupicinus, an ejected *African* Biſhop, appealing to him. *Cauſam quoque Lupicini Epiſcopi illic jubemus audiri. Cui multum & ſæpius poſtulanti communionem hac ratione reddidimus: quoniam cum ad noſtrum judicium provocaſſet immerito eum, pendente negotio, a communione videbamus fuiſſe ſuſpenſum.* In which Epiſtle alſo he ſaith; *Quod nunc utcunque patimur eſſe veniale, inultum poſtmodum eſſe non poterit, ſi quiſquam id, quod omnino interdiximus, uſurpare præſumpſerit.* Manifeſt alſo, that they did at that time what he appointed concerning *Apiarius*: and promiſed obſervance of the two Canons, till the return of the copy of the *Nicene* canons out of the Eaſt; and, after this return, ſome expreſſions in their letter they let fall, as if they would not offer to throw off altogether his intereſt in their affairs. *Impendio deprecamur, ut deinceps ad veſtras aures hinc venientes, non facilius admittatis.* [Upon which words *Spalatenſis* comments thus. (4. *l.* 8. *c.* 32. *n.*) *Rogant, ut Epiſcopi non tam facile audiantur*, [i.e. a Romano Pontifice,] *niſi videlicet notoria & manifeſta adſit ſuſpicio in propriæ Provinciæ Epiſcopis omnibus, aut maxima eorum parte.* For he grants there, *ubi gravis & notoria eſt ſuſpicio erga proprios & primarios Judices, Epiſcopos reos potuiſſe ad aliena* [or *extera*] *judicia, præſertim vero ad ſedes Apoſtolicas recurrere.* and quotes for it S. *Auſtin* Ep. 162. in *Cæcilian's* caſe.] —And *voluit obſervari* [*i.e.* the Council of *Nice*,] *ne in ſua Provincia communione ſuſpenſi, a tua ſanctitate vel feſtinato, vel præpropere, vel indebite, videantur communioni reſtitui.* And the 22. canon of the *Milevitan* Council, held by them about the time of this conteſt, prohibits tranſmarine Appeals only to the inferior Clergy: *Placuit, ut Presbyteri, Diaconi, vel cæteri inferiores Clerici, in cauſis, quas habuerint* &c *non provocent, niſi ad Africana Concilia, vel ad Primates Provinciarum ſuarum* &c.

§ 14. *Whether transmarine Appeals in some cases very necessary,*

Again: Notwithstanding what hath bin said by the *Africans* in this matter, yet here may be made still a *Quære*; Whether, in a controversie between Bishops and their Metropolitan; and much more in controversies between Metropolitans, or Primates; or also Patriarchs themselves, such transmarine Appeals were not necessary, and were, at all, or at least justly, by the *African* Bishops, in any-such cases, opposed. For the mere proving of an opposition engageth us no more to the opinion of one side than of the other; neither may we argue the Bishop of *Rome* unjustly claimed it, because they opposed it; no more than that they unjustly opposed it, because he claimed it. As for the 5th *Nicene* Canon urged by them, themselves grant it, and it is manifest to any Reader, to speak in expres terms only of inferior Clergy; and in their application of it to Bishops, they qualify it with a *—ne festinato, ne præpropere.* For the common practice of former times, in *Athanasius*, &c, shews, that the *Roman* Bishop was not prohibited by these Canons to admit into his communion any Bishop, excommunicated by his Province, if he found him wrongfully Suspended; and therefore tis true also, that the *6th* canon, *Episcopos suis Metropolitanis apertissime commisit*, but not in every case unappealably to Superiors, as appears by the *African* Bishop's qualification in that Epistle. *Ne festinato, ne præpropere*, quoted before. As for the several Reasons they give, to these it may be replied on the other side: That the Patriarch, tho he were neither more prudent, nor better informed from others in difficult matters, nor more assisted from Heaven, (yet tis probable, that such might, as having a more choice election, both be more knowing, and, according to the eminency of his place, assisted, both with

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a wiſer Council, and a greater portion of God's Spirit,) yet muſt he needs be a leſs partial Judge in ſuch matters; becauſe not ſo nearly intereſſed, in the cauſe, nor in the perſons, as the Metropolitan often muſt be; or alſo other Biſhops, who live upon the place, and are ſubject to his power. That the Provincial Councils, which they mention, tho their judgment were never ſo entire, were not always to be had, and were much ſeldomer aſſembled than the Canons appoint; much rarer yet Councils univerſal: neither of them (by reaſon of the great trouble) fit, upon every ſuch difference, to be called. And hence fails that Apology, which Dr. *Field* (5. *l.* 39 *c.* p. 563.) makes for the *Africans* in theſe words. "The *Africans*, tho within the Patriarchſhip 'of *Rome*, diſliked the Appeals of Biſhops to *Rome*; be-'cauſe they might have right againſt their Metropoli-'tans in a general Synod of *Africk*, wherein the Primat 'ſate as Preſident: for otherwiſe Biſhops wronged by 'their Metropolitans might by the canons appeal to 'their own Patriarch. Thus far he. Therefore the *Africans*, denying this, went againſt the canons. That the canons of the Council of *Sardica*, which the *African* Biſhops (then) knew not of, were ſufficient to warrant his receiving of ſuch appeals; and if any former *African* decrees be pleaded againſt him, much more may theſe of *Sardica*, for him. That many caſes are not matter of fact, where witneſſes are neceſſary, but queſtions *de jure*, where the fact is confeſſed; and that in ſuch, no more plea can be made to have them tried at home, than the *Moſaical* Legaliſts of *Antioch* could juſtly have demanded not to have this matter arbitrated at *Jeruſalem*; or *Arius* of *Alexandria*, at *Nice*. That for the conveniency of hearing witneſſes, where neceſſary in ſuch appeals, it was ordered indeed anciently, that, whenſo-

ever it could safely be done, such causes should be arbitrated in the same, or some adjoining Provinces; by some Judges, either sent thither, or there delegated by the Patriarch, (of which the 7th canon of *Sardica* seems to take special care,) in the non-observance of which canons some *Roman* Bishops perhaps may have bin culpable, and caused great affliction to their subjects: but yet, that other exigencies might occur, (every cause not being fit to be decided by delegates,) which required the trial to be at the Patriarchal residency, to which the trouble of witnesses must give place; which trials at *Rome* are also allowed by the Council, (see *Conc. Sard. can.* 4.) And this grave Assembly, we have no reason to think, but that they weighed the troubles of such appeals, as well as the *Africans* afterward, or we now; but thought fit to admit smaller inconveniences, to avoid greater mischiefs; namely, in the intervals of Councils, schisms and divisions between Provincial, and between National, Churches, by the Church her having thus so many Supremes, terminating all Spiritual causes within themselves, as there were Provinces or countries, Christian. See Dr. *Field*, allowing such appeals, (below, §. 20.) and especially S. *Austin*, *Ep.* 162. where he justifies the appeal of *Caecilianus* Bishop of *Carthage*, wronged by a Council of 70. Bishops held in *Africk*, whereof was President the Primat of *Numidia*, whose power and authority Dr. *Hammond* equals to that of Patriarchs, (*Schism* 3. c. p. 58.) to a transmarine judgment, (tho *Donatus* his party much crying out against such appeals, and tho it was in a matter meerly of fact; namely, whether *Cæcilian* was ordained by some, who were *traditores sacrorum Codicum igni*, in time of persecution,) because such judgment was dis-engaged in the quarrel. His words are, —*Sibi* [i.e. *Cæciliano*] *videbat apud Ecclesiam*

cleſiam tranſmarinam, a privatis inimicitiis & ab utraque parte diſſenſionis alienam, incorruptum & integrum examen ſuæ cauſæ remunere. —And again, *Qui* [i.e. *Cæcilianus*] *poſſet non curare conſpirantem multitudinem inimicorum,* [i.e. in *Africk*,] *cum ſe videret & Romanæ Eccleſiæ, in qua ſemper Apoſtolicæ Cathedræ viguit Principatus, & cæteris terris —per communicatorias literas eſſe conjunctum, ubi paratus eſſet cauſam ſuam dicere:* (for all Churches had power to clear and examin his cauſe, in reſpect of entertaining communion with him, and ſending their communicatory letters *&c.* tho all Churches had not ſuch power, in reſpect of righting him againſt his adverſaries, but only his ſuperior Patriarch): Again, —*An forte non debuit Romanæ Eccleſiæ Melchiades Epiſcopus cum Collegis tranſmarinis Epiſcopis illud ſibi uſurpare judicium, quod ab Afris ſeptuaginta, ubi Primas* [Numidiæ] *Tigiſitanus præſedit, fuerat terminatum? Quid, quod nec uſurpavit? Rogatus quippe Imperator Judices miſit Epiſcopos, qui cum eo ſederent, & de tota illa cauſa, quod juſtum videretur, ſtatuerent.* This tranſmarine judgment here you ſee S. *Auſtin* juſtifies, notwithſtanding the *Donatiſts* might have uſed the foreſaid (§. 12.) plea of the *African* Fathers of the 6th Council, and of *Cyprian*; eſpecially in the trial of a matter of fact.

§. 15. [But concerning this foreign judgment of *Cæcilians* cauſe, before I leave it, I muſt not conceal to you, what *Calvin* (*Inſtit. l.* 4. *c.* 7. *ſ.* 10.) relates thereof, in prejudice of the Pope's authority: objecting there; That *Cæcilian* had his cauſe tried indeed by the Biſhop of *Rome*; but, by him only as the Emperor's Delegate; and not by him ſingly, but with other ſpecial Delegates join'd with him; that, from this judgment, an appeal being made by *Cæcilian's* adverſaries, then the peror

Emperor *Conſtantine*, ſo great an honorer of the Church's privileges, appointed the Biſhop of *Arles* in *France*; *Qui ſedet Judex* (ſaith he) *ut poſt Roman. Pontificem, quod viſum fuerit, pronunciet.* And again, an appeal being made from him alſo, ('tis further urg'd), That the Emperor judg'd the cauſe, after all, himſelf. For anſwer to which, I refer you to the relation of this ſtory by St. *Auguſtin*, againſt the *Donatiſts*, *Epiſt.* 162. where you will find thoſe Aſſeſſors to be join'd by the Emperor to the Biſhop of *Rome*, *ad preces Donatiſtarum*; who well knew *Melchiades* much favouring *Cæcilian's* cauſe. (You may ſee *Conſtantine's* Letter to *Melchiades*, and *Marcus*, one of his Aſſeſſors, in *Euſ. l.* 1. *c.* 5.) The *Donatiſts*, here caſt, pretending ſome new evidence, requeſted of the Emperor yet another hearing of their cauſe; upon which,—*dedit Ille* (ſaith St. *Auſtin*) *aliud Arelatenſe judicium, aliorum ſcil. Epiſcoporum* [this was the Council of *Arles*, aſſembled in *Conſtantine's* time, of which ſee more below § 23. *n.* 7. conſiſting of two hundred Biſhops, as *Baronius* conjectures out of St. *Auſtin*, which Council included, with more added to them, *Cæcilian's* former Judges] *non quia jam neceſſe erat; ſed eorum perverſitatibus cedens, & omni modo cupiens tantam impudentiam cohibere.*—Afterward they importunately appealing alſo from this Council to the Emperor's own judgment; He, very earneſt by any means to quell this growing diviſion in the *African* Churches, *ceſſit eis* (ſaith St. *Auſtin*) *ut de illa cauſa poſt Epiſcopos judicaret, a ſanctis Antiſtitibus poſtea veniam petiturus: dum tamen illi quod ulterius dicerent non haberent, ſi ejus ſententiæ non obtemperarent.* See likewiſe Dr. *Field's* conceſſions (*l.* 5. *c.* 53. *p.* 682.) concerning this buſineſs, both that the cauſe was judg'd by a Synod at *Arles*; and that the Emperor's hearing the cauſe after them was

was irregular. After this you may review what truth there is in the objection of *Calvin.*]

Excuſe this digreſſion which I have made from § 12. concerning the difference between the *African* and *Roman* Biſhop, ariſing from theſe Canons of *Sardica* there urged. Againſt which Canons whereas it is pretended; 1. That they authorize the *Roman* Biſhop only to judg ſuch cauſes by his Deputies upon the place, often ſaid by Dr. *Field*; ſee in him *p.* 530. 2. That the 9th Canon of *Chalcedon*, a Council following this, in ordering the Appeal *ad Conſtantinopolitanæ regiæ civitatis ſedem ut eorum ibi negotium terminetur*, contains ſomething contrary to them. The firſt appears not true; by *can.* 4. *Sard.*—[*& proclamaverit (i. e. Epiſcopus depoſitus) agendum ſibi negotium in urbe Roma—& niſi cauſa fuerit in judicio Epiſcopi Romani determinata*]: By the privilege granted to the *Conſtantinopolitan*, and inferior Patriarch to the *Roman*, *Con. Chal. c.* 9. [*ut eorum* ibi *negotium terminetur*]: By the ordinary practice of the *Roman* Biſhops in thoſe early times; thence therefore is the *African* Expoſtulation with him, [*Quomodo judicium transmarinum ratum erit, ad quod teſtium neceſſariæ perſonæ &c. adduci non poſſunt?*] And the like you may ſee urg'd by *Cyprian*, ſee *Field* p. 563. Laſtly, by Dr. *Field's* confeſſion (l. 5. c. 34. p. 531.) 'That the Pope with his 'Weſtern Biſhops might examine and judge, at *Rome*, 'the differences between two Patriarchs; or between a 'Patriarch and his Biſhops; as 'tis clear he did, a little before the *Sardican* Council, judg at *Rome* the cauſe of *Athanaſius*); how much more then, the differences, when of moment, of the Subjects of his own Patriarchy? To the ſecond, 'tis confeſs'd, That that Canon, in reſpect of ſome parts, namely of the Eaſt; and § 16.

of

of some differences, namely of Bishops there, with their Metropolitans; doth restrain those of *Sardica*: But first, The *African* Controversie was before the Council of *Chalcedon*. Again, for the West at least, it must be granted, that those Canons stand good still, and are not weaken'd, but strengthen'd rather, and imitated by *Chalcedon*; which Council thought fit, in this Canon, to give that authority which *Sardica* conferr'd on the *Roman*, to a Seat inferior to the *Roman*; much more therefore may the *Roman* See, if the *Constantinopolitan*, have such privileges. But lastly, we know also, that in this point of the Bishop of *Constantinople's* Dignity and Power, the Eastern Bishops of that Council were oppos'd by the Bishop of *Rome* and his Legates.

§. 17. After these *Sardican* Decrees, concerning these Appeals from inferior to superior Ecclesiastical Judges, see the eighth General Council, *can.* 26. (against which Council, tho the *Grecians, in Conc. Florent. sess.* 6. oppose the Decrees of another following it, yet it is not contradicted in this I quote out of it, by that, or any other later Council). —*Ut qui se læsum arbitrabitur a proprio Episcopo possit Metropolitanum appellare, qui datis dimissoriis ad se causam advocet. Liceat tamen Episcopis provocare ad Patriarcham, si crediderint se injustitiam pati a Metropolitano, a quo litibus finis imponatur.* After which Canon, I will set you down that passage of the *English* Bishops, upon their relinquishing the See of *Rome*, (in their Book of the Institution of a Christian man, in Sacr. of Orders, quoted by Dr. *Hammond*, *Schism c.* 5. and much relied on by King *James* in *Apol. pro juramento fidel. p.* 124.) that you may see whether things were well-consider'd by them.—"It was (say they) 'many hundred years before the Bishop of *Rome* could 'acquire

'acquire any power of a Primate over any other Biſhops, 'which were not within his Province in *Italy*. And 'the Biſhops of *Rome* do now tranſgreſs their own pro-'feſſion made in their Creation. For all the Biſhops 'of *Rome*, always when they be conſecrated and made 'Biſhops of that See, do make a ſolemn profeſſion and 'vow, that they ſhall inviolably obſerve all the Ordi-'nances made in the Eight firſt General Councils; a-'mong which it is eſpecially provided, that all cauſes 'ſhall be determined within the Province where they 'begun, and that by the Biſhops of the ſame Province: 'which abſolutely excludes all Papal (*i.e.* foreign) 'power out of theſe Realms. Now the Canons the Biſhops refer to, are—*Conc. Nic. c.* 6. 1 *Conc. Conſt. c.* 2, 3. and *Conc. Milevit. c.* 22. which Canons, how little they make for their purpoſe, ſee below § 19, *&c.* and before, § 14. But the Pope making ſolemn vow to obſerve *Conc.* 8. *can.* 26. as well as theſe, did he vow contradictions? or, if theſe contradicting, doth not, in Eccleſiaſtical conſtitutions, the later ſtand in force? Again; for not appealing of all perſons in every cauſe to the ſupreme Eccleſiaſtical Court, ſee *Conc. Milev.* whereof St. *Auſtin* was a member, *Can.* 22. *Placuit, ut Presbyteri, Diaconi, vel cæteri inferiores Clerici, in cauſis quas habuerint, ſi de judiciis Epiſcoporum queſti fuerint, vicini Epiſcopi eos audiant, & inter eos quicquid eſt, finiant adhibiti ab eis ex conſenſu Epiſcoporum ſuorum. Quod ſi & ab eis provocandum putaverint, non provocent niſi ad Africana Concilia, vel ad Primates Provinciarum ſuarum. Ad tranſmarina autem qui putaverint appellandum, a nullo* intra Africam *in communionem ſuſcipiantur.* But note here, that this Canon was made only concerning inferior Clergy, not Biſhops (tho ſome miſtakingly urge it againſt any appeals whatever;) and as *Bellar-*

min ſaith) was ratified by *Innocentius* Biſhop of *Rome*, quoting his Epiſtle (among St. *Auſtin's* the 93.) tho indeed that Epiſtle confirms nothing elſe ſave their Decrees againſt *Pelagius*. But however, this is a thing, it ſeems by *Bellarmin*, that the Pope will not oppoſe. See about this non-appealing, Dr. *Field l.* 5. *c.* 39. *p.* 562. where he brings in alſo further, to confirm this, the Imperial Conſtitution *Juſtin. Novellæ Conſt.* 123. *c.* 22. Laſtly, ſee *Bell.* (*de Rom. Pont. l.* 2. *c.* 24.) confeſſing a reſtraint of ſome appeals, not allow'd to be made to the Patriarch; where he ſaith, *Quæſtio de Apellationibus ad Romanum Pontificem non eſt de appellationibus Presbyterorum & minorum Clericorum, ſed de appellationibus Epiſcoporum, &c.* Therefore in that 'forementiond contention between *Zoſimus* Biſhop of *Rome* and the *African* Biſhops, met in the 6th Council of *Carthage*, about the appeal made to *Rome* of one *Apiarius* an *African* Presbyter, who had a controverſie only with his Biſhop, the deciding of which by Canons is referr'd to the Metropolitan and his Council, or to the *Epiſcopi finitimi*, (*Conc. Sard. can.* 17.) it may be made a queſtion, whether the Pope was not miſtaken in it, (if he contended not only for appeal of Biſhops having controverſie with their Metropolitans, but alſo countenanc'd that of *Apiarius*); conſidering what was deliver'd in the Canons above-cited, and what is alſo conceded by the Cardinal.

§ 18. *Thoſe not ſubjected to any* Patriarch *for Ordination, yet ſubjected for deciſion of Controverſies,*

As for thoſe Churches, who were under no Patriarch, *i.e.* in reſpect of their Metropolitan's receiving his Ordination from any Patriarch; as *Cyprus* is conceiv'd by ſome to be, from *Conc Epheſ. can.* 8. and *Conc. Conſt. in Trullo, can.* 39. (If theſe Canons do not prohibit rather the Patriarch of *Antioch* from hindering the Metropolitans

tropolitans of *Cyprus* to ordain other Biſhops without his concurrence or conſent, as the [*Rem novam*] in the beginning of the 8th Canon of *Epheſus*, and other expreſſions, ſeem to import. ſee below § 19.) Yet 1. They were not free and exempt from all foreign judgments, when any differences and contentions aroſe in any ſuch Churches; but to them, or at leaſt the principal of them, were (when queſtion'd) to give account of their Orthodox Faith and Canonical Obedience; if they meant, to retain any Communion with the reſt of the Church Catholick, and to receive communicatory Letters as teſtimonials thereof. See for this St. *Aug. Epiſt.* 162. where he hath diſcours'd it at large. 1. 2. Neither were they free from the juriſdiction of ſome Patriarch, or other, ſo far as the Canons of any General Council ſubjected them thereto. For example; That 7th Canon of *Sardica* [*Si Epiſcopus &c.*] being deliver'd indefinitely, oblig'd the *Cyprian* Biſhops as much as any other. For the Law of a Legiſlator, who hath power to oblige all, obligeth all, if none be therein excepted. Now General Councils have juſt authority of decreeing a ſubordination, as they pleaſe, of Eccleſiaſtical Perſons and Courts, for the unity and peace of the Church; or elſe their common practice hath miſtaken the right. The ſame may be ſaid of the obligation of the 9th Canon of *Chalcedon*, *&c.* According to which Canons, ſince experience hath ſhew'd, and you may ſee it in Dr. *Field's* conceſſions, that many of thoſe, whom the Proteſtants make independent Primates (as thoſe of *Carthage*, *Millain*, *&c.*) have yeilded to the Patriarchal juriſdiction; the practice of theſe Primates (if allow'd by them) infers the duty of the reſt: if diſallow'd, they muſt charge ſuch Primates, not to have known or maintain'd their own privileges. But 1. 2.

3. 3*ly*, ſuch non-ſubordinate Churches can plead no more privilege, than abſolute Patriarchs have, being, if equal to, yet not advanc'd above, theſe. But amongſt Patriarchs themſelves, in matters of difference and appeal, the inferior were liable to the judgment of the ſuperior Patriarchs (as ſhall be ſhew'd preſently) therefore muſt the *Cyprians*, or other, be the like; there being the ſame reaſon of all, the preſerving of the unity and communion of the whole Church Catholick, in which one Church is not more concern'd than others. Therefore Dr. *Field* (*l.* 5. *c.* 30. *p.* 513. where, in anſwer to *Bellarmin*'s pretending a Monarchical Government of the Church as neceſſary, he goes to ſhew how her unity might well be, and was anciently, preſerv'd without it, by ſeveral ſubordinations which were in the Church) diſcourſeth thus: "If a Synod conſiſted 'of the Metropolitans and Biſhops of one Kingdom or 'State only, the chief Primate was Moderator: If, of 'many [Kingdoms], one of the Patriarchs and chief 'Biſhops of the whole world [was Moderator]: every 'Church being ſubordinate to ſome one of the Patri-'archal Churches, and incorporate into the Unity of it. '3*ly*, The actions of a whole Patriarchſhip were ſubject to 'a Synod Oecumenical. And *l.* 5. *c.* 39. *p.* 563. he quotes, the Emperor's Decree (*Novel.* 123. *c.* 22.) 'that Bi-'ſhops being at variance were finally to ſtand to, and 'not to contradict, their own Patriarch's judgment. And *Gregory*'s (*l.* 11. *ep.* 54.) addition to it; 'That if there 'be no Patriarch, then the matter muſt be ended by the 'Apoſtolick See, the Head of all Churches. —And accordingly we find in the Patriarchal Councils of the Weſt, all the Weſtern Churches whatever (I diſpute not here, whether ſubject, or no, to the Patriarch) aſſembling

bling in them, and ſubject to the prevailing Votes and Decrees.

[Againſt what is ſaid above, is much urged, by the Reformed, the ſecond and third Canon of the ſecond General Council of *Conſtantinople*. The words are theſe; *Epiſcopi, qui extra Diœceſim ſunt, ad Eccleſias, quæ extra terminos earum ſunt, non accedant; neque confundant & permiſceant Eccleſias. Alexandriæ quidem Epiſcopi ſolius Orientis* [*Ægypti* ſaith another Tranſlation] *curam gerant, ſervatis honoribus Primatus eccleſiæ Antiochenæ, qui in regulis Nicænæ Synodi continentur. Sed & Aſianæ Diœceſis Epiſcopi ea quæ ſunt in Aſia, & quæ ad Aſianam tantummodo Diœceſis habeant curam. Thraciæ vero &c.* And c. 3. *Non invitati Epiſcopi ultra Diœceſim accedere non debent ſuper ordinandis aliquibus, vel quibuſcunque diſponendis Eccleſiaſticis cauſis. Manifeſtum namque eſt, quod per ſingulas quaſque Provincias Provincialis Synodus adminiſtrare & gubernare omnia debeat; ſecundum ea quæ ſunt in Nicæa definita.* -5.c. *Veruntamen* [as it is in one Tranſlation] *Conſtantinopolitanus Epiſcopus habeat honoris primatum poſt Romanum Epiſcopum* &c. The title to which Canons, being all joined into one, in one Tranſlation is, *De ordine ſingularum Diœceſeon; & de privilegiis, quæ Ægyptiis, Antiochenis, Conſtantinopolitaniſque debentur.* Theſe Canons are urged to prove; That all Provinces are for power abſolute, and ſupreme: That every cauſe and controverſy between any perſons ſhould be determined finally within the Provinces, where the matters did lie; and that by the Biſhops of the ſame Provinces, from whom might be no further appeal: and, That no Biſhop ſhould exerciſe any power out of his own Dioceſs, or Province; and conſequently, neither the *Roman* Biſhop, out of his Province in *Italy*. And, becauſe here fol-

§ 19. *Every Province not ſupreme, for finally determining the differences ariſing therein.*

follows some preeminence granted to the *Constantinopolitan* Bishop *post Romanum*, that this may not be thought to contradict what goes before, they say, that this preeminence of the *Constantinopolitan* Bishop is *dignitatis* only, not *potestatis*. To all which I answer,

1. That these Canons are capable of another interpretation; namely, That neither Patriarch, nor Primat, or Metropolitan, should meddle in the affairs of any other Patriarchy, or Province coordinate, and over which he had no Jurisdiction in such affairs; *i. e.* over which, neither by ancient custom, nor constitutions of Councils, he could claim any such Superiority. (See the limitation, *Concil. Ephes.* c. 8. —*Quæ non prius, atque ab initio* &c. and *Can. Apostol.* 36. *Quæ illi nullo jure subjectæ sunt*; a clause still retained in these canons, to preserve the prerogatives Patriarchal.) Not those of *Alexandria* with the affairs of *Antioch*, [*solius Ægypti curam gerant, servatis honoribus Ecclesiæ Antiochenæ,*] without encroaching upon them; or the Patriarch of *Alexandria* or *Antioch* medling with the Ordination of Bishops in the Provinces subjected to them. Nor those of *Asia* with those of *Thrace*; to whom *Thrace* owed no subjection. Again, That in every Province the Provincial Synod be the supreme and last Court, above any other authority in that Province; and exclusively to the judgments of the Bishops of any neighbouring Provinces, which are only coordinate with it. See them below, § 28. called by *Gregory*, *Episcopi alieni Concilii*; and §. 26. this interpretation further confirmed.

2. That their interpretation of these canons cannot
1. be true: 1. Neither in this; that they would make every Province independent, and supreme; because both the Bishop of *Alexandria*, and of *Antioch*, which are here mentioned, had more than one Province subjected

jected unto them, (yet all called their Dioceſs or Province, taken in a larger ſence); and the Biſhop of *Conſtantinople*, who is not mentioned or limited in the 2*d.* Canon (*Conc. Conſtantinop.*) as others, had ſeveral of the Provinces here-named, as *Pontus*, *Aſia*, *Thrace*, ſubjected to him, and that by this very Council. For which ſee *Conc. Chalced. Act.* 16. *—Centum & quinquaginta Deo amantiſſimi Epiſcopi* [i.e. the Fathers of this *Conſtantipolitan* Council] *rationabiliter judicantes* &c *Urbem* [Conſtant.] *in Eccleſiaſticis* (*ſicut illa* [Roma]) *majeſtatem habere negotiis, —& his, qui de Ponto ſunt, & de Aſia & Thracia diœceſibus, Metropolitanos ordinari a prædicta Conſtant. Sedis ſanctiſſima Eccleſia*; where theſe Fathers expound what was meant here by *Epiſcopi Thraciæ gubernent quæ Thraciæ*, in the words following: namely, *ut unuſquiſque Metropolita præfatarum Diœceſium—ordinet ſuæ regionis Epiſcopos, ſicut divinis Canonibus* [i.e. the canons of *Nice*, and theſe of *Conſtantinople*] *eſt præceptum.* Thus are *Pontus* and *Aſia* &c ſubjected to the See of *Conſtantinople*, tho not for the ordaining of their Biſhops, yet for the ordinations of their Metropolitans, and alſo for Appeals: as may be ſeen in their 9*th.* and 16*th.* canons, which ſeems to be the meaning of that *Majeſtas in Eccleſiaſticis negotiis*, which they gave him *poſt Romam.* And all this they do, after theſe very canons were firſt recited in the Council; *—definitionem ſanctiſſimorum Patrum ſequentes ubique, & regulam, & ea quæ nunc relecta ſunt* [i. e. theſe canons] *centum & quinquaginta Epiſcoporum* &c. Which to confirm to you yet farther, ſee the Subſcriptions of thoſe Biſhops of *Aſia*, and *Pontus*, &c, of one, *—Ego gratum habeo ſub ſede Conſtantinopolit. eſſe, quoniam & ipſe ordinavit*; of another, *ſecundum ſententiam Patrum* 150 *voluntate propria ſubſcripſi.* Therefore the Primacy *poſt Romanam*, granted

ted by *Conſt. Concil. Conſtantinopol.* to the Biſhop thereof, was not *dignitatis* only, but *poteſtatis,* (and therefore much more the Primacy of *Rome,*) as the *Chalcedon* Fathers expound theſe canons. But, if we ſay, that they miſunderſtood, yet then they have at leaſt ſufficiently reverſed them, and nulled their force, becauſe they, coming after the other, have made a contrary decree, which at leaſt in matters of Eccleſiaſtical conſtitution, annulleth the former. 2. Neither is their interpretation true in this, *viz.* That Provincial Councils may finally determin all cauſes thereof, excluſively to all others whatſoever: for ſo they would not be ſubject to Patriarchal, nor Univerſal Councils; nor would any appeals from them at all be lawful; contrary, to what is ſaid but now, (*Con. Chalc. 9. c.* ſee likewiſe the can. of *Sardica.*) and to the known common practice of Antiquity; (of which hereafter follow many inſtances.) and alſo in the *8th.* canon of this very Council which they urge, (as it is extant in *Balſamon,*) examinations of matters are remitted from Provincial Councils to a greater Synod of the Dioceſs. *Quod ſi evenerit, ut Provinciales Epiſcopi, crimina, quæ Epiſcopo intentata ſunt, corrigere non poſſunt,* [placuit *&c*] *tunc ipſos* [accuſatores] *accedere ad majorem Synodum Diœceſis illius* &c.

2. 3. It may be anſwered; Whatever theſe canons mean, that, one part of this Council ſitting at *Conſtantinople,* the other at *Rome,* they received no confirmation from thoſe at *Rome*: (See, for this, what is ſaid before, § 7.) And it is obſervable, that tho there is mention made in them of *Antioch* and *Alexandria,* yet is there none made of the limitations of the Roman, or the Weſtern, Dioceſſes; no, nor yet of limiting the *Conſtantinopolitan* Biſhops, whom they ordered to be the ſecond to *Rome*: for we read not in them, *Conſtantinopolitanæ*

politanæ Diœceſis Epiſcopi, ea quæ ad Conſtantinopolitanam tantummodo Diœceſim pertinent, gubernent.

Laſtly, Patriarchs themſelves, and thoſe who had complaints againſt them, (according to Dr. *Field's* conceſſions, 5. *l.* 39. *c.* and 34. *c.* p. 530.) might appeal to, 'and were to be judged by, thoſe of their own rank, in 'order before them, aſſiſted by inferior Biſhops. And 'the Biſhop of *Rome*, (ſaith he *p.* 568.) as firſt in order 'amongſt the Patriarchs, aſſiſted with his own Biſhops, 'and the Biſhops of him that is thought faulty, [*tho theſe latter I do not always find neceſſary, or preſent at ſuch judgments, as appears in the inſtances here following*] might 'judge any of the other Patriarchs; and ſuch as had 'complaints againſt them might fly to him, and the Sy- 'nods of Biſhops ſubject to him; and the Patriarchs 'themſelves, in their diſtreſſes, might fly to him and 'ſuch Synods for relief and help. Tho (*ſaith he*) of 'himſelf alone he had no power to do any thing. And '(5. *l.* 52. *c.* p. 668.) when (*ſaith he*) there groweth a dif- 'ference between the Patriarchs of one See, and ano- 'ther; or between any of the Patriarchs, and the Me- 'tropolitans and Biſhops ſubject to them; the ſuperior 'Patriarch (not of himſelf alone, but with his Metro- 'politans, and ſuch particular Biſhops as are intereſted) 'may judge and determin the differences between them. And (5. *l.* 34. *c.* p. 531.) "—He aſſents to the ſaying of 'Gelaſius Biſhop of *Rome*, urged by *Bellarmin*: That 'no other particular Church or See may judge the 'Church of *Rome*; ſeeing every other See is inferior to it. Thus He. Whoſe Conceſſions if it may be thought that they are too free, and too indulgent to the Church of *Rome*; and therefore that the teſtimonies of this ſingle perſon ought not to be ſo much preſſed, as I have,

§. 20. *n.* 1. *The Patriarchs alſo ſubjected to the judgment of a ſuperior Patriarch.*

The power of Juriſdiction (not only primacy of Dignity) of the Biſhop of Rome above the reſt of the Patriarchs and Biſhops.

and ſhall preſs them in this diſcourſe; I firſt advertiſe you, that they are ſuch as ſeem forced from him moſt-what in his anſwers to the authorities out of the Primitive times, collected by *Bellarmin*: and then I deſire, that, any peruſing the ſame authorities, would try, if himſelf can ſhape any leſs-yeilding anſwer that may be ſatisfactory, (except this; *the utter rejecting and renouncing all ſuch Authorities which, prudent men ſee, would give too much advantage to the Roman cauſe,*) and I am content that Dr. *Field*'s conceſſions, and whatever is built thereon in this diſcourſe, be cancell'd, and nullified. But, in ſome manner to ſecond Dr. *Field*'s judgment and relation of this matter, I will add to it ſeveral conceſſions of the Archbiſhop of *Spalato*, a copious writer alſo on this ſubject; who of the ancient priviledges of Patriarchs, and, amongſt them, eſpecially of the *Roman*, ſpeaks thus. 3. *l.* 10. *c.* 26. *n. Sicut Metropolitanus Epiſcopus ſuffraganeos ſuos errantes corripere & corrigere debet & emendare, ita ſi Metropolitanus erret ſive in moribus, ſive in judiciis & actis ſuis, ne etiam in hoc Synodus ſemper cum incommodo conveniat, a Patriarchis voluit Eccleſiaſtica conſuetudo & lex Metropolitanos emendari; niſi tam gravis ſit cauſa & publica, præſertim fidei, ut totius regionis Synodus, ſive & Oecumenica debeat convenire*; [of which cauſe ſurely the Patriarch is to judge, ſince he only, not they, hath the authority of convocating ſuch Council.] *Ita in Concil. Chalced. cap.* 9. *ſtatutum eſt, ut ſi adverſus Provinciæ Metropolitanum Epiſcopus vel Clericus habeat querelam, petat Primatem Diœceſeos, aut ſedem Regiæ Urbis Conſtantinopolitanæ, & apud ipſam judicetur. Et in octava Synodo Generali Canon expreſſus ponitur de Poteſtate Patriarcharum & Metropolitanorum ſub his verbis,* '*Hæc ſancta & magna Synodus tam in ſeniori & nova Ro-*' *ma, quam in ſede Alexandriæ* &c *priſcam conſuetudinem de-*

'*decernit in omnibus conſervari, ita ut eorum Præſules* [the 'Patriarchs] *univerſorum Metropolitanorum, qui ab ipſis 'promoventur, (ſive per manus impoſitionem, ſive per Pallii 'dationem) Epiſcopalis Dignitatis firmitatem accipiant, ha-'beant poteſtatem; viz. ad convocandum eos urgente neceſſi-tate ad Synodalem conventum, vel etiam ad coercendum illos & corrigendum, cum fama eos ſuper quibuſdam delictis for-ſan accuſaverit.* So 4. *l.* 4. *c.* 5. *n.* of the *Conſtantinopolitan* Patriarch he ſaith: *Jam introductam conſuetudinem ut cauſæ Eccleſiaſticæ totius Orientis, quæ in propriis Provin-ciis terminari vix poſſent, ad Sedem Conſtantinopolitanam deferrentur, Concilium hoc Chalcedonenſe bis confirmavit.* And 9. *c.* 1. *n.* of the *Roman* Patriarch thus. —*Quia Pa-triarchæ (ut diſſerui* 3. *l.* 10. *c.*) *alia Privilegia habent in quibus ſuperant Metropolitanos, habebit etiam Romanus Pontifex omnia Patriarchalia Privilegia; Pallium ſibi ſub-jectis Metropolitanis illud petentibus concedere* &c *eoſdem a lege Divina vel ſacris Canonibus deviantes corripere, & in officio continere; controverſias inter eoſdem exortas compo-nere, cauſaſque eorundem interdum* [i. e. in cauſis gravio-ribus] *audire & decidere; totius Patriarchatus Concilia con-vocare. —Romanum tamen Patriarcham adhuc in qui-buſdam peculiari quadam ratione ſupra omnes etiam Patri-archas excellere jam oſtendo.* He goes on there 14. *n.* —*Ex loco ſui primi Patriarchatus ſacrorum Canonum primus ha-bebatur, & præcipuus obſervator, cuſtos, ac vindex; quos ſi alicubi violari cognoſceret, acer monitor inſurgebat.* [He ſeems loth to ſay, *judex*, tho he hath ſaid it before.] —15. *n.* *Secundum Privilegium Epiſcopi Romani fuit, ut ad ipſum quicunque Epiſcopi cujuſcunque Provinciæ & Re-gionis* [not only of his Patriarchy] *qui ſe ab Epiſcopis pro-priæ Provinciæ gravari ſentirent, in judiciis Eccleſiaſticis, tanquam ad ſacram anchoram, confugerent; apud ipſum in-nocentiam ſuam probaturi*: [he ſeems loth to ſay, that

they repaired to him to have their cauſes heard and judged by him, and to have reſtitution to their places from him; tho nothing is more clear than this, in *Athanaſius* his, and many other caſes inſtanced-in below: but preſently he confeſſeth,] —*Romani Pontifices de facto eos ſedibus ſuis reſtituebant, & ab objectis criminibus tanquam ſi eſſent ſupremi judices abſolvebant*; and this ſo anciently as *Cyprian*'s time, and before the firſt General Council of Nice.] —16. *n.* —*Romanus Pontifex propter ſummam ipſius exiſtimationem, commune quaſi vinculum & nodus erat præcipuus Catholicæ communionis in tota Eccleſia.* —*Catholicæ communionis dux & arbiter, ut cui ipſe ſuam communionem vel daret, vel adimeret, cæteræ quoque Eccleſiæ omnes ordinarie darent pariter, vel adimerent.* (So elſewhere he ſaith, (8. *c.* 2. *n.*) *Communio cum Eccleſia Romana maximi ſemper facta eſt in Eccleſia totius Imperii Romani univerſali.*) *Propter ſummam ipſius exiſtimationem*, ſaith he; but he mentions not the cauſe which the Ancients give, becauſe it was *Prima Sedes Apoſtolica, & Cathedra Petri & Pauli*; for if he were ſo then [*Dux* &c,] for this reaſon, ſo he ought to be to all Chriſtians ſtill. —17. *n.* *Quartum fuit Privilegium, ut nihil grave in Eccleſia univerſali, niſi conſulto prius Romano Pontifice, ſtatueretur, aut tractaretur; cujus etiam in his non modo Conſilium, ſed conſenſus quoque enixe requireretur.* [He joyns.] *Ita tamen ut abſolute neceſſarius non eſſet; neque ſi abeſſent, Definitiones caſſaret, aut impediret.* But this is contrary to the ancient Church-Canon, *Sine Romano Pontifice* &c. ſee below 21. §. and how elſe will he void the Heretical acts of the 2*d. Epheſine* Council? —Laſtly, 12. *c.* 5. *n.* thus he ſpeaks of the Legats of the *Roman* Biſhops. *Medio tempore* [in which time he reckons *Leo Magnus* to be, and might truly have gone higher had he pleaſed, but *Leo* was before the 4*th* General

General Council] *Romani Pontifices cæperunt aut extraordinarios Legatos a latere ſuo in alienas Provincias mittere, aut ordinarios in ipſis Provinciis habere, alicui ex illius Provinciæ Epiſcopis ſuas vices committentes, & utroſque cum poteſtate jndiciaria & non ſine juriſdictione. Eorum totum munus hoc medio tempore fuit rebus fidei in illa Provincia ſuperintendere, & obſervare, ne quid ipſa fides detrimenti patiatur; Canonum obſervationi invigilare, & corrigenda corrigere, & reformare; & judicia, quæ putabantur Romam eſſe deferenda, leviora abſolvere, graviora Domino Papæ referre.* Thus He.

And indeed, frequent examples there are of the Biſhop of *Rome's* uſing a judicial authority, in ſome maters, over the chiefeſt members of the Univerſal Church. Frequent examples of wronged both *Biſhops* and Patriarchs, appealing and repairing unto him for redreſs, even in early times when his power is ſaid to have bin ſo great. Which redreſs he afforded them; By ſummoning their adverſaries alſo, tho under another Patriarchat, to appear before him: By examining their cauſe, and declaring them innocent by and with his own Patriarchal Council, or with ſo many Biſhops as could well be conven'd, if the cauſe were of moment: By allowing and retaining them in his communion: By declaring the proceedings and acts of their adverſaries (when diſcover'd by him to be againſt the former Eccleſiaſtical Canons) null and void. Whilſt He, as the prime Biſhop of the world, ſeemed to have a ſuperintendency in the interval of General Councils, for the obſervation of the Eccleſiaſtical Canons eſtabliſhed by former Synods, not only (if we may judge by the practice of thoſe ancient and holy Biſhops of *Rome*) over his own Patriarchat, but over the whole Church; of which § 20. *n* 2.

which ſee more § 21. and 25. *&c.* by writing to other Patriarchs and Synods, to do the ſame, and to permit them quietly to enjoy their Dignities; by pronouncing the ſentence of Excommunication upon refractory offenders, tho it were thoſe of the higheſt Dignity: ſee below § 23. *n.* 5, 6. § 25, *&c.*

And laſtly, if the greatneſs of the cauſe, and of the oppoſition, and their non-acquieſcence, in his judgment, ſo required, by calling other Biſhops of what Dignity ſoever before him, and his Council, or by citing a General Council for their relief. See Dr. *Field* (*l.* 5. *c.* 35. *p.* 536, 538.) Now why ſuch repair was made to him, and ſuch primacy and power given him, beyond all other Biſhops, by ancient Church-cuſtom and Canons; whether from the Dignity of the Imperial City, where he was Biſhop; or whether from St. *Peter* and St. *Paul's* laſt reſidence in this their moſt eminent ſeat, and Martyrdom there, leaving the Regiment of the Church of God, which they both finally exercis'd in this place, in that Biſhop's hands when they died; (for ſome reaſon there muſt be, that Antiquity ſo ſpecially applied *Sedes Apoſtolica* (when-as many others were ſo too) to that See beyond all others; and that the Appealants, and others, made their honourable addreſſes to it, not as *Sedes Imperialis* (for ſuch addreſſes to *Rome* ceaſed not to be ſtill, when the Emperor's chief reſidence was in the Eaſt), but as *Sedes Apoſtolica*); or whether for both theſe (for both theſe are compatible enough) it little concerns me to examine. Only, *de facto* ſuch honour and reſpect to be given him is moſt evident. So thoſe famous Worthies of the Church (amongſt others), *Athanaſius* Patriarch of *Alexandria*, *Paulus* and *Chryſoſtom* Biſhops of *Conſtantinople*, and *Theodoret* (a Biſhop in *Syria*) when oppreſſed at home, appeal'd to the Biſhop

ſhop of *Rome* with his Weſtern Synods, (ſee *Field*, *l.* 5. *c.*39. *p.*570.) In which Appeals, what the Pope's power in thoſe times was accounted to be, and what intereſt his Authority challeng'd in reſpect of the Eaſtern parts of the Church, I think you will remain partly well ſatisfied (notwithſtanding the great conteſts in this matter), if you pleaſe to read theſe quotations, which, travelling thro by five or ſix of the firſt Ages, with ſome trouble to my ſelf, I have tranſcribed, to ſave your pains; leſt perhaps you ſhould not have the opportunity, or the leiſure, or (at leaſt) the curioſity, to ſeek them in their ſeveral Authors. Wherein yet, I could wiſh, if you ſeriouſly ſeek ſatisfaction in this matter, you would review them, I being forc'd, for avoiding further tediouſneſs, to omit many circumſtances.

§ 21. *This power exemplified in the primitive times, to the end of the 6 Age, the days of* Gregory *the Great, extending to* § 36.

See the teſtimony of the Eccleſiaſtical Hiſtorians: The ſeventh Chapter of the third Book of *Sozomen*, who liv'd in the fifth Age, contemporary to St. *Leo*; where, concerning *Paulus* Biſhop of *Conſtantinople*, and *Athanaſius* Patriarch of *Alexandria*, their repair to the Biſhop of *Rome*, *Julius*; he ſaith: *Cum, propter Sedis dignitatem, cura omnium ad ipſum ſpectaret, ſingulis ſuam Eccleſiam reſtituit; ſcripſitque ad Epiſcopos Orientis eoſque incuſavit, &c.——deditque mandatum ut quidam illorum, omnium nomine, ad diem conſtitutum, accederent.—Quinetiam minatus eſt ſe de reliquo non paſſurum, &c.* The 11th Chapter of the ſecond Book of *Socrates*, where he ſaith; *Julius* Biſhop of *Rome* ſent Letters to the Oriental Biſhops, *&c. quoniam Eccleſia Romana privilegium præter cæteras obtinebat*; and that *Paulus* and *Athanaſius*, *ad ſuas ipſorum Eccleſias redibant literis Julii confiſi*: concerning which priviledg we have leſs reaſon to rely on the judgment of thoſe *Arrian* Biſhops, oppoſing and ſcoffing

ſcoffing at them, than on the orthodox *Paulus* and *Athanaſius*, acknowledging and ſeeking relief from them. See the ſecond Apology of *Athanaſius* againſt the *Arrians*; wherein he ſaith: *Judicatum eſt non ſemel ſecundum nos, ſed ſæpius ac ſæpius: primum quidem in noſtra Provincia &c.—Secundo Romæ: nobis, cæteriſque adverſariis Euſebii, ad ejus criminoſas literas in judicio comparentibus. Fuere autem in eo conſenſu plures quam* 50 *Epiſcopi*; the Pope with 50 of his Weſtern Biſhops hearing his cauſe. The Epiſtle of *Julius* to the Oriental Biſhops aſſembled at *Antioch*, written before the Council of *Sardica* (and ſo before the 7th Canon thereof was compos'd) and publiſh'd by *Athanaſius*, in that his ſecond Apology, wherein are ſuch paſſages as theſe unto them,—*Quum iidem illi* [thoſe ſent from the Eaſtern Biſhops] *authores mihi fuerunt, ut vos convocarem, certe id a vobis ægre ferri non debuit, ſed potius alacriter ad citationem occurrere.—Cur igitur & in primis de Alexandrina civitate nihil nobis ſcribere voluiſtis*? An ignari eſtis, hanc conſuetudinem eſſe, *ut primum nobis ſcribatur, ut hinc, quod juſtum eſt, definiri poſſit? qua propter ſi iſtic hujuſmodi ſuſpicio in Epiſcopum concepta fuerat, id huc ad noſtram Eccleſiam referri oportuit.— Quæ accepimus a Beato Petro Apoſtolo, ea vobis ſignifico.*— And the ſame thing which *Julius* mentions here [*An ignari eſtis hanc conſuetudinem eſſe, &c.* and before it, *Oportuit ſecundum Canonem & non iſto modo judicium fieri, &c.*] is alſo found urg'd by *Innocentius* (amongſt S. *Auſtin's* Epiſtles, *Ep.* 91.) *Quod illi* [*i.e. Patres*] *non humana ſed divina decrevere ſententia, ut quicquid de disjunctis remotiſque Provinciis ageretur, non prius ducerent finiendum, niſi ad hujus ſedis notitiam perveniret, ubi tota hujus authoritate juſta quæ fuerit, pronunciatio firmaretur; indeque ſumerent cæteræ Eccleſiæ velut de natali ſuo fonte &c.* and mention'd in *Socrates l.* 2. *c.* 13. *Canonibus*

nibus nimirum jubentibus, præter Romanum nihil decerni Pontificem, and in *Sozomen, l. 3. c. 9.*

[Concerning which Canon, much ſtood upon, give me leave to dilate a little, before I produce any more Authorities. *Nothing* (ſay ſome) *(of great conſequence for the Unity and Communion of the Church, or alſo which ſhould univerſally oblige) to be concluded without him* ; that is, without his knowledg, or without asking his conſent. So *Calvin, Inſtit. l. 4. c. 7. ſ. 8. ut abſente Romano Epiſcopo univerſale de religione decretum non fiat, ſiquidem intereſſe non recuſet.* The ſame ſaith Dr. *Field*, p. 651. No; not only ſo: for this, as *Bellarmin* replies, will ſignifie no more privilege to this See, than any other Patriarch had; and why canonically and ſingularly is that granted to one, which is common to all? *§ 22. n 1. A Digreſſion concerning the meaning of that antient Canon;* Sine Romano Pontifice nihil finiendum.

In the ſecond place therefore; Nothing to be concluded by Councils *without him, i. e.* without his giving his conſent: For in this ſenſe, and not only in the former, *Julius* and the *Roman* Biſhops urg'd it; and, that anciently it was taken in this ſenſe, is ſhew'd by the frequent Appeals of Biſhops and Patriarchs to the Biſhop of *Rome* (not ſo to others) for redreſs from the Decrees of Councils; and thoſe Councils, ſome of them, in ſome ſenſe General (as the ſecond *Epheſin* Council) *General*, for the meeting, but not for the vote; ſince neither the *Roman* Patriarch, nor his Legates, nor the Weſtern Biſhops did vote with them, when they thought themſelves injur'd thereby. So *Flavianus* Biſhop of *Conſtantinople* (ſee *Leo Epiſt. 23. ad Theodoſium,—Quia & noſtri fideliter reclamarunt, & eiſdem libellum appellationis Flavianus Epiſcopus dedit.* And *Conc. Chalced. Act. 3.*) and *Theodoret* appeal'd to him from the ſecond *Epheſin* Council, which ſided with *Eutyches*. So *Athanaſius*, and

Paulus, and *Chryſoſtom*, from ſeveral, and numerous, Eaſtern Councils. *Without his giving his conſent then, nothing of moment ſtood firm,*

But thirdly, *Without his giving his conſent* indeed, but ſo amply underſtood, as that this his conſent involve alſo that of all the Weſtern Biſhops of his Patriarchy (few of which, excepting the Pope's Legates, could be perſonally preſent at thoſe remote Councils of the Eaſt): or of ſo many of them, as he could conveniently call to Council (againſt whom it was preſum'd he would do nothing, as a perſon ſtanding wholly ſingular, and univerſally diſſented from); for, theſe making ſo conſiderable a part of the Church, and as it ſeems by that paſſage in the Epiſtle of the Eaſtern Biſhops to *Julius* (*Sozomen l.* 3. *c.* 7.) eſteem'd more numerous than the Eaſt; it was moſt unreaſonable, that any thing of moment, and worthy the cognizance of a General Council (amongſt which this was one, removing Biſhops of note from their Seats, or from the Communion of the Church, which might cauſe great Schiſms) ſhould ſtand in force without their approbation: And upon this that Canon of *Chalcedon*, advancing the Biſhop of *Conſtantinople* (ſo much urg'd) juſtly could have no force, till afterward it was condeſcended to by the Biſhops of *Rome*; becauſe as not he, ſo neither the Weſtern Biſhops allow'd it. Neither upon this could the fifth *Conſtantinopolitan* Council be juſtly call'd General, no more than the *2d Epheſin* Council (which being never confirm'd, was never accounted ſuch), when-as neither the Biſhop of *Rome*, nor his Legates, nor his Weſtern Biſhops, would be preſent therein (upon a difference between them and the Orientals: not *de fide*, wherein both ſides agreed, but *de perſonis*; *Theodorus*, *Theodoret*, and *Iba*,) until it was afterward confirm'd alſo by the Pope and his Weſtern

ern Party, not long after the ending thereof (becauſe they found it not ſo injurious to the Council of *Chalcedon* as was at firſt fear'd): in like manner as the firſt *Conſtantinopolitan* Council, where none of the Weſt was preſent, was counted the 2*d.* General Council from ſuch a poſt-confirmation of the Weſt. See what is ſaid below, § 25, *n.* 3. and § 26.— But perhaps we may aſcend yet a ſtep higher.

4. *Nothing to be concluded by General Councils without his giving his ſingle perſonal conſent*, tho both Weſtern and Eaſtern Churches were all united in their vote, (yet I think it cannot be ſhewed, that the *Roman* Biſhop ever oppoſed ſuch an univerſal Vote, where his Weſtern Biſhops were joyned with the Eaſt againſt him,) by reaſon of the dignity and primacy of his See. For ſo it was thought fit to be ordered by ancient Canons concerning Metropolitans, in reſpect of their particular Provinces; that nothing may be done without them: (ſee *Conc. Antioch. can.* 9. and *Apoſtol. Can.* 35. &c.) and the reaſon given; —*Sic enim unanimitas erit:* and ſo tis ordered concerning Princes and their Parliaments, for the more peaceable government of States; and why may not this Canon have the ſame meaning for St. *Peter's* chair, in reſpect of General Councils? Eſpecially ſince it is not denied; That as they can conclude nothing without him; ſo neither might He, without Them, (*i.e.* in the time of their ſitting, or aſſembly,) do any thing which was obligatory to the whole Church. He may indeed in the interval of Councils take care of the due obſervance of former Eccleſiaſtical Canons, and, perhaps alſo, for the preſent peace of the Church, (ſee § 18. and below, § 34.) decide dubious matters, upon appeals made to him for the peace of the Church, till ſuch Council meet: for tis both neceſſary in general, § 22. *n.* 2.

that ſome ſtanding ſupreme Tribunal there be, where, in the vacancies of General Synods, Suits ſhould be finally terminated; and alſo the practice of Appeals from all parts of the Church, for matters of moment, to *Rome*, do ſhew his in particular to be that Tribunal. So Metropolitans alſo do act ſingle, when their Provincial Councils are not convened, who in time of thoſe Councils may act nothing without their concurrence. But yet when a General Council ſits, it may upon mature deliberation reverſe any thing he hath done without it; correct any error he hath committed; neither do his laws preſcribe to it. To which purpoſe hear what S. *Auſtin* ſaith, Epiſtle 162. in a judgment given againſt the *Donatiſts*, before the *Nicen* Council, by the *Roman* and ſome other Biſhops. *–Ecce putemus illos Epiſcopos, qui Romæ judicarunt, non bonos judices fuiſſe; reſtabat adhuc plenarium Eccleſiæ univerſæ Concilium* [Nicænum,] *ubi etiam cum ipſis Judicibus cauſa poſſit agituri; & ſi male judicare convicti eſſent, eorum ſententiæ ſolverentur. Solverentur*, therefore till ſuch Council ſuch ſentence was obliging. The iſſue therefore of ſuch mutually limited power is only this, (which can neither damage the Churches doctrine, nor diſcipline); That where both (the Council, and this prime Patriarch) agree not, no new law, no change can be made; but all things muſt remain *in ſtatu quo prius*, which ſtate of things is no way alterable by the Biſhop of *Rome*: for this Canon, if it give him a negative power againſt what is to be eſtabliſhed, it doth not ſo for what hath bin eſtabliſhed, as well by the former Biſhops of *Rome*, as former Councils. See the conceſſion of *Zoſimus* to this purpoſe, (*apud Gratianum. 25. q. contra ſtatuta.*) *–Contra ſtatuta Patrum condere aliquid vel mutare, nec hujus quidem Sedis poteſt authoritas. Apud nos enim inconvulſis radicibus vivit*

vivit antiquitas, cui decreta Patrum ſanxere reverentiam. Which former Synods, if he ſhall happen to treſpaſs againſt, and incur the guilt of hereſy, upon evidence of the fact, he is condemnable and depoſable by the Council: of which ſee more 2. *part.* §. 20. So we find a Pope, *Honorius*, condemned of hereſy, as a *Monothelite*, by the 6*th* General Council. but this was done by the Pope, as well as the Council. Hear, what a Biſhop of *Rome*, *Adrian* the 2*d.* ſaith concerning this matter, (in the 8*th* General Council. Act. 7.) *Romanum Pontificem de omnium Eccleſiarum Præſulibus judicaſſe legimus; de eo vero quenquam judicaſſe non legimus. Licet enim Honorio ab Orientalibus poſt mortem anathema ſit dictum, ſciendum tamen eſt* [quod] *qui fuerat ſuper hæreſi accuſatus, propter quam ſolum licitum eſt minoribus majorum ſuorum motibus reſiſtere, vel pravos ſuos ſenſus libere reſpuere; quamvis & ibi nec Patriarcharum nec cæterorum Antiſtitum cuipiam de eo, quamlibet fas fuerit proferre ſententiam, niſi ejuſdem primæ Sedis Pontificis conſenſus præceſſiſſet.* and what that Council ſaith, *Can.* 21. —*Sed ne alium quenquam conſcriptiones contra Sanctiſſimum Papam ſenioris Romæ ac verba complicare, vel componere liceat* &c, *quod & nuper Photius* [Patriarch of *Conſtantinople*, whom this Council depoſed] *fecit, & multo ante Dioſcorus*, [Patriarch of *Alexandria.*] *Quiſquis autem tale facinus contra Sedem Petri Principis Apoſtolorum auſus fuerit intentare, æqualem & eandem, quam Illi, condemnationem* [*i.e.* depoſition] *recipiat. Porro ſi Synodus Univerſalis fuerit congregata; & facta fuerit etiam de Sancta Romanorum Eccleſia quævis ambiguitas aut controverſia, opertet venerabiliter, & cum convenienti reverentia de propoſita quæſtione ſciſcitari & ſolutionem accipere, aut proficere, aut profectum facere, non tamen audacter ſententiam dicere contra ſummos Senioris Romæ Pontifices.* Thus that Council in oppoſition to

Photius

Photius his former violences toward the *Roman* See; and thus much of that old Canon, mentioned in the Epiſtle of *Julius* to the Orientals, aſſembled at *Antioch*. Who ſince they made an *Arrian* Creed contrary to the *Nicene*, and condemned *Athanaſius*, and ſome other Orthodox Biſhops, which things were done, if not by the *major* party, yet by the prevailing; it is as reaſonable to affirm, That the ſame perſons only, that did theſe things, writ that Letter to *Julius*, ſo invective againſt the authority of the *Roman* See, and not the *major* part; whom *Spalatenſis*, to add the more authority to this Letter, contends to have bin Catholick. (See his 3. *l.* 8. c. 3. *n.* &c. 4. *l.* 8. c. 11. *n.* &c.) However it is clear, that *Julius* his proceedings are juſtified againſt them, both by the Occidental Orthodox Biſhops, and by *Athanaſius*, and other orthodox Biſhops of the Eaſt, and by the Council of *Sardica*, and by the Eccleſiaſtical Hiſtorians. See *Sozomen*, 3. *l.* 7. c. and 9. c. where the ſame perſons that writ to *Julius*, (the Hiſtorian ſaith,) *contra Concilii Nicæni decreta res geſſerunt*, and were accuſed by *Julius*, (9. c.) *quod clam contra fidem Concilii Nicæni novas res moliti fuerunt*. See *Socrates* 2. *l.* 7. *c.* their changing the *Nicene* Creed. Thus much concerning the meaning of the ancient Canon. Now to go on.]

§ 23. *n.* 1. See (*in Athanaſ. Apol.* 2. and *Socrates* 2. *l.* 19. c. and *Epiphan. Hær.* 68.) *Valens* and *Urſatius*, two Biſhops, one in *Myſia*, the other in *Pannonia*, both very gracious with the Emperour *Conſtantius*, and leaders of the *Arrian* faction, (upon repentance of their error, and alſo calumnies againſt *Athanaſius*) repairing to *Rome*, and delivering to *Julius*, *libellum pœnitentiæ*, and begging pardon and reconciliation, tho afterward they relapſed.

See

See the *3d*, *4th*, and *7th* Canons of the Council of *Sardica*, ſet down before, § 11. (in which great Council are reckoned by *Athanaſius*, one preſent in it, *(in 2. Apolog.)* ſome Biſhops preſent from our *Britanny*, [*Epiſcopi Hiſpaniarum, Galliarum, Britanniarum*, &c.] Neither is this any wonder; ſince they were alſo at *Conc. Arelat.* 11 years before that of *Nice*, ſee *Hammond ſchiſm.* p. 110.) which canons ſeem to confirm appeals to the Biſhop of *Rome*, and to authorize him to hear and decide the cauſes (by himſelf or his Legats) of thoſe Biſhops alſo, who were not under his Patriarchy. For it is not limited to the Weſtern Patriarchy, but generally propoſed, [*Si in aliqua Provincia Epiſcopus* &c.] *Can.* 3. and the motive propoſed by *Hoſius*, formerly Preſident of *Nice*, is general, not more concerning one part of the Church than another, [*the honouring of S.* Peter's *memory*,] and theſe canons were made by that Council not long after *Athanaſius* (a Biſhop not ſubject to the *Roman* Patriarchy, but himſelf a Patriarch) his appeal to *Rome*, and the judgment of his cauſe (by witneſſes brought out of the Eaſt, and his adverſaries counter-plea) there: which judgment and ſentence as the Eaſtern Biſhops at *Antioch* much ſlighted and undervalued, ſo this *Sardican* Council approved. and if theſe canons reſpected all in general, then, ſince the Biſhops of our *Britanny* alſo were there, this was their act, as well as of the reſt, and obliged *Britanny* to the ſame ſubordinations with the reſt.

See the Epiſtle of St. *Baſil* (*Epiſt.* 52.) to *Athanaſius*, about the ſuppreſſion of *Arrianiſm* in the Eaſt; wherein he ſaith,—*Viſum eſt conſentaneum ſcribere ad Epiſcopum Romanum, ut videat res noſtras, & decreti ſui judicium interponat.—authoritatem tribuat delectis viris.* —*qui* § 23. *n.* 2.

—*qui acta Ariminenſis Concilii ſecum ferunt, ad ea reſcindenda, quæ illic violenter acta ſunt, &c.*— See the two Epiſtles of *St. Hierom* to *Damaſus* Biſhop of *Rome*, deſiring to know, what he ſhould hold concerning the word *Hypoſtaſis*, applied to the Three Perſons of the Trinity; and with whom communicate in the Eaſt,—wherein thus he; *Quoniam vetuſto Oriens inter ſe populorum furore colliſus, &c. ideo mihi Cathedram Petri, & Rom. 1. & fidem Apoſtolico ore laudatam cenſui conſulendam. —Apud vos ſolos incorrupta Patrum ſervatur hæreditas. — Ego nullum primum niſi Chriſtum ſequens, Beatitudini tuæ, id eſt, Cathedræ Petri communione conſocior: ſuper illam Petram ædificatam Eccleſiam ſcio.——Quicunque extra hanc domum agnum comederit profanus eſt,—&c.—Ideo hic collegas tuos Ægyptios Confeſſores ſequor* [communicating with them] *—Non novi Vitalem: Meletium reſpuo: ignoro Paulinum.* [There being much diviſion and diſtraction in the Church of *Antioch* (under which *St. Hierom* liv'd) between *Meletius*, and *Paulinus* (ſucceſſively Biſhops thereof), and *Vitalis* a Presbyter].—*Cui apud Antiochiam debeam communicare, ſignifices.—decernite, ſi placet, obſecro: non timebo tres Hypoſtaſes dicere, ſi jubetis.*— And in the ſecond Epiſtle; *In tres partes ſciſſa Eccleſia ad ſe rapere me feſtinat.—Ego interim clamito; ſi quis Cathedræ Petri jungitur, meus eſt. Meletius, Vitalis, atque Paulinus* [every one of them, tho of ſeveral tenents] *tibi hærere ſe dicunt: poſſum credere, ſi unus* [only one of them] *hoc aſſereret; nunc vero aut duo, aut omnes mentiuntur. Idcirco obteſtor, ut mihi literis tuis, apud quem in Syria debeam communicare, ſignifices.* Thus *S. Hierom.* To which *Bellarmin* adds *Eraſmus* (a moderate man) his comment upon it; —*videri ſibi Hieronymum his verbis aſſerere, omnes Eccleſias ſubjectas eſſe Apoſtolicæ Sedi.* At leaſt it ſeems, in times of ſchiſms and diviſions, this

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Father thought it (for the reaſon mention'd) the ſafeſt way to adhere to the *Rom.* See: yet ſpeaks he not of the *B.* of *Rome* as judging ſingly, whom he thought liable to Hereſie [ſaying, *in catalogo Scriptorum*, ſome ſuch thing of *Liberius* ſubſcribing *Arrianiſm* (tho indeed much apology may be made for *Liberius* in this matter, yet not ſuch as can free him from all fault, he ſubſcribing only, and that when he was tired out with baniſhment and other cruelties, the *Sirmian* Creed, which only omitted *Conſubſtantialis*, ſee *Part* 2. § 41.)] but of him join'd with his Council, or with his Weſtern Biſhops. Therefore he ſaith, *apud vos ſolos &c.*— and—*Decernite, ſi placet, obſequor, &c.* Therefore the more ſtrict vindicators of the *Roman* inerrability in matters of Faith, take not the Biſhop thereof ſingly and unſynodically, as his private judgment may inform, or paſſions incline him, eſpecially upon ſome violence and terrors uſed (as in *Liberius* it was); but, as aſſiſted with his Council, he weigheth, judgeth, and defineth ſuch matters (ſee *Bell. de Rom. Pont. l.* 4. *c.* 2, 3, 4.) in a time when a General Council is not, nor cannot ſo conveniently be had. In which intervals, it may be preſum'd, Chriſt is not wanting to the ſupremeſt Guide of the Church, uſing what helps he hath at hand; conſidering what he ſaith, *Mat.* 18. 19, 20. And Dr. *Field*, in anſwer to theſe places of *Hierom* (p. 547.) goes thus far: 'Thirdly, we ſay, 'it is more than probable, that the whole Weſtern Church 'ſhall never loſe or forſake the true profeſſion, (and 'therefore he may truly be judg'd a prophane perſon 'that eateth the Paſchal Lamb out of the Communion 'of the ſame); tho ſometimes the Biſhop of *Rome* in 'perſon be an Heretick, other of his Collegues conti-'nuing faithful. But then; I ask, according to this, when-as not none at all, or a few, but moſt, of his

Weſtern Collegues are join'd with the Biſhop of *Rome* (in which Communion, no inſtance in Antiquity can ſhew him to have been Heretical), and only a few in the Weſt divided from him, which will ſeem ſafeſt (to thoſe who will be guided by authority) in *St. Hierom's* opinion, to adhere to *Cathedra Petri*, or the *Cathedra* elſewhere oppoſing it? As for what is urg'd (by Dr. *Field*, *ibid.*) out of *St. Hierom* (*Epiſt. ad Evagrium*) to counterbalance theſe, *of a deprav'd cuſtom in Rome*; when-as this was no way patroniz'd by any Epiſcopal Conſtitution; and *of his holding Presbyters and Biſhops*, and again *Biſhops of Alexandria, and Tanais, ejuſdem meriti & ſacerdotii*; when-as he meaneth *ratione ordinis*, not *juriſdictionis*; or *jure divino*, not *eccleſiaſtico*; for ſo he ſaith in the ſame Epiſtle; *Quod poſtea unus electus eſt, qui cæteris præponeretur, in ſchiſmatum remedium factum eſt. Factum eſt, i. e.* by the Apoſtles, or the Councils; which ſufficiently juſtifies his allowance of, and ſubmiſſion to, Patriarchal authority. Theſe places ſeem to me of no force to null, or to qualifie, his former expreſſions to *Damaſus*. See *Optatus*, who diſputes thus (*l.* 2.) againſt the ſchiſmatical *Donatiſt* Biſhops; *Videndum eſt, qui & ubi prior Cathedr[illegible] ſederet,—Negare non potes ſcire te in Urbe Roma Petro primo Cathedram Epiſcopalem eſſe collatam,—in qua una Cathedra unitas ab omnibus ſervaretur, ne cæteri Apoſtoli ſingulas* [*Cathedras*] *ſibi quiſque defenderent, ut jam ſchiſmaticus & peccator eſſet, qui contra ſingularem Cathedram* (*i. e. Petri*) *alteram collocaret. Ergo Cathedra unica ſedit prior Petrus, cui ſucceſſit Linus, Lino Clemens, &c. Damaſus, Damaſo Siricius, hodie qui noſter eſt ſocius. Cum quo nobis totus orbis, commercio formatarum, in una communionis ſocietate concordant. Veſtræ Cathedræ vos originem reddite.—Sed & habere vos in urbe Roma, partem aliquam dicitis,—Quid eſt hoc quod pars veſtra in urbe Roma Epiſ-*

Epiſcopum civem habere non potuit?—Unde eſt quod claves regni vobis uſurpare contenditis, qui contra Cathedram Petri veſtris præſumptionibus & audaciis ſacrilegio militatis? —Probatum eſt nos eſſe in Eccleſia ſancta Catholica; apud quos & ſymbolum Trinitatis eſt, & per Cathedram Petri, quæ noſtra eſt, & cæteras dotes apud nos, eſſe etiam Sacerdotium, &c. [I hope none will ſay, that *Optatus* argues thus, becauſe *St. Peter's* Chair happen'd in his times to be orthodox, but becauſe he took it for granted, that it muſt be orthodox (and ſo all the Churches join'd to it) becauſe *St. Peter's* Chair].

See *Damaſus Epiſt.* 5. *ad Africanos*,—*Inſtituta eſſe majorum, ut cuncta, quæ poſſit aliquam recipere dubitationem ad nos quaſi ad caput, ut ſemper fuit conſuetudo, deferre non dubitetis.* Of whom thus *Spalatenſis*, *l.*7.*c.*5.*n.*23. *Ex non Apocryphis Damaſum primum obſervo, qui talis ſui privilegii mentionem fecit, ipſum vero ad ſola majorum inſtituta refert.* See the Epiſtle of *Siricius* Biſhop of *Rome*, *A. D.* 389, to the Metropolitan Biſhop of *Tarracon* in *Spain*, *c.*15. *Explicuimus ut arbitror* (*Frater chariſſime*) *univerſa quæ digeſta ſunt in querelam; & ad ſingulas cauſas, de quibus ad Romanam Eccleſiam, utpote ad caput ſui corporis, retuliſti, ſufficientia* (*quatuor opinor*) *reſponſa reddidimus. Nunc fraternitatis tuæ animum ad ſervandos canones & tenenda decretalia conſtituta magis ac magis invitamus, ut hæc in omnium coepiſcoporum noſtrorum perferri facias notionem, —ad univerſos Carthaginenſes, atque Bæticos, Luſitanos, atque Gallicos, &c.* See the Epiſtle of *Zoſimus* (a Biſhop of *Rome* in *St. Auſtin's* time) *ad Epiſc. Salonit.* where prohibiting the admitting of *Monks*, and alſo *Laicks*, immediately to be Biſhops, without their paſſing thro, and continuance for ſome time in, inferior Eccleſiaſtical Functions, he ſaith; —*Hoc autem ſpecialiter, &* § 23.*n.*3.

ſub Prædeceſſoribus noſtris, & nuper a nobis interdictum conſtat, literis ad Gallias Hiſpaniaſque tranſmiſſis. —Ad te potiſſimum ſcripta direximus, quæ in omnium fratrum & Coepiſcoporum noſtrorum facies ire notitiam. —Sciet, quiſquis hoc, poſtpoſita Patrum & Apoſtolicæ Sedis authoritate, neglexerit, a nobis diſtrictius vindicandum &c.

§ 23. *n.* 4. See the Epiſtles of the *African* Biſhops, (in the 5th *Carthaginian*, and in the *Milevitan*, Councils, held there againſt *Pelagianiſm*, amongſt whom was S. *Auſtin*) ſent to Pope *Innocent I*; and his Anſwers to them, (being amongſt S. *Auſtin's* Epiſtles, the 90, 91, 92, 93.) where the 92. the *African* Biſhops begin thus. —*Quia te Dominus gratiæ ſuæ præcipuæ munere in Sede Apoſtolica collocavit, talemque in noſtris temporibus præſtitit, ut* &c. and ſee the cloſe thereof. And (in Epiſtle 90.) —*Hoc itaque geſtum, Domine Frater Sancte, charitati tuæ intimandum duximus, ut ſtatutis noſtræ mediocritatis etiam Apoſtolicæ Sedis adhibeatur authoritas.* And S. *Auſtin* (*Retract.* 2. *l.* 49. *c.*) ſpeaketh of the ſame buſineſs in this language: —*Poſtea quam Pelagiana hæreſis cum ſuis authoribus ab Epiſcopis Eccleſiæ Romanæ, prius Innocentio, deinde Zoſimo (cooperantibus Conciliorum Africanorum literis) convicta atque damnata eſt, ſcripſi* &c. And *Poſſidonius*, S. *Auſtin's* Collegiat, (*in vita Auguſt.* 18. *c.* thus. —*Et cum iidem* [Pelagiani] *perverſi Sedi Apoſtolicæ, per ſuam ambitionem, eandem perfidiam perſuadere conabantur; inſtantiſſime etiam Conciliis Africanis ſanctorum Epiſcoporum geſtum eſt; ut S. Papæ urbis Romæ, & prius venerabili Innocentio, & poſtea ſancto Zoſimo ejus ſucceſſori, perſuaderetur; quod illa Secta Catholica fide & abominanda & damnanda fuiſſet. At illi tantæ Sedis Antiſtites ſuis diverſis temporibus eoſdem notantes, atque a membris Eccleſiæ* [i. e. Catholicæ] *præcidentes datis literis ad Africanas Orientis & Occidentis Eccleſias*

cleſias, eos anathematizandos & devitandos ab omnibus Catholicis cenſuerunt. Et hoc tale de illis Eccleſiæ Dei Catholicæ probatum judicium [where he ſeems to call the Pope's judgment the Catholical] *etiam ptiſſimus Imperator Honorius audiens & ſequens, ſuis eos legibus damnatos & inter hæreticos habere debere conſtituit.* And ſee the Biſhop of *Rome's* anſwers, wherein he vindicates the univerſal authority of that See; ſomething of which is quoted before, § 21.

After which judgment in *Africk*, both *Pelagius*, and *Cæleſtius* (his chief diſciple) made their appeals to *Rome*, to *Zoſimus* the Succeſſor of this *Innocentius*, under ſuch forms as theſe: *Si forte quiſpiam ignorantiæ error obrepſerit, veſtra ſententia corrigatur,*— and, *—Emendari cupimus a te, qui Petri & fidem & ſedem tenes:* and were (upon a falſe relation of their tenents) favoured there, to the great offence of the *African* Biſhops, but afterward alſo condemned by that See; and their condemnation publiſhed from thence to all Churches. See for what is ſaid the authorities in S. *Auſtin*, and others, quoted by *Baronius*, A.D. 418. See S. *Auſtin contra Julianum*, 1. *l.* 2. *c.* where, urging againſt *Julian* the teſtimonies of the Occidental Fathers for Original ſin, he ſaith thus: *—An ideo contemnendos putas, quia Occidentalis Eccleſiæ ſunt omnes. —Puto tibi eam partem orbis ſufficere debere, in qua primum Apoſtolorum ſuorum voluit Dominus glorioſiſſimo Martyrio coronare. Cui Eccleſiæ præſidentem beatum Innocentium ſi audire voluiſſes, jam tunc periculoſam juventutem tuam Pelagianis laqueis exuiſſes. Quid enim potuit vir ille Sanctus Africanis reſpondere Conciliis, niſi quod antiquitus Apoſtolica Sedes & Romana cum cæteris tenet perſeveranter Eccleſia? —Non eſt ergo cur provoces ad Orientis Antiſtites* &c. See S. *Auſtin*'s Epiſtle 261. written to *Cæleſtine*, Biſhop of *Rome*, in his old age; as appears

pears in the end of the Epiſtle, [*ſi meam ſenectutem fueris conſolatus,*] and probably after the conteſt of the *African* Council about Appeals, that Council being held 419. and *Celeſtine* made Biſhop of *Rome* 423. who outlived S. *Auſtin*, who died, 430. *Ludov. de Angelis, lib.* 4. c. 6. It was written concerning one *Antonius*, for whom S. *Auſtin* had procured the Biſhoprick of *Fuſſala*, a place formerly in his own Dioceſs: but being very remote from *Hippo* he obtained, that a new Biſhoprick might be erected there; which *Antonius*, for ſome miſcarriage, being by the neighbouring Biſhops of *Numidia* removed from that Biſhoprick, yet not utterly degraded, had appealed to the Biſhop of *Rome*, and had much threatned by this Biſhop's power, to procure a reſtorement to his place. In this Epiſtle, thus S. *Auſtin* beſeecheth the Pope. —*Collabora obſecro nobiſcum: & jube tibi quæ decreta ſunt omnia recitari.* —*Exiſtat exemplo, ipſa Apoſtolica Eccleſia judicante, vel aliorum judicia firmante, quoſdam pro culpis nec Epiſcopali ſpoliatos honore, neque relictos omnimodo impunitos. Quia ergo* &c. *ſubveni hominibus opem tuam in Chriſti miſericordia poſcentibus: non ſinas iſta fieri* [i.e. *Antonius* to be reſtored by force] *obſecro te per Chriſti ſanguinem, per Apoſtoli Petri memoriam, qui Chriſtianorum præpoſitos Populorum monuit, ne violenter dominentur inter Fratres* &c. This he ſaith againſt the *Executores Clericos* of the *Roman* See, many times uſing unjuſt violence; but we ſee he declines not the Biſhop of *Rome's* judgment, but hopes to have it favourable to his cauſe. —See likewiſe his Epiſtle 157. to *Optatus:* wherein he mentions a legation impoſed upon him and ſome other Biſhops, for ſome Eccleſiaſtical affair, to *Cæſarea* in *Mauritania.* —*Quo nos* (ſaith he) *injuncta nobis a venerabili Papa Zoſimo Apoſtolicæ Sedis Epiſcopo, Eccleſiaſtica neceſſitas traxerat.* Of which alſo thus *Poſſidonius*

nius. Vit. Aug. 14. *c.* —*In Cæſarienſem Mauritaniæ Civitatem venire venerabilis memoriæ Auguſtinum cum aliis Epiſcopis, Sedis Apoſtolicæ literæ compulerunt, ad terminandas viz. aliquas Eccleſiæ neceſſitates,* &c, [which ſhews what authority the *Roman* Biſhop uſed over the *African* in this Fathers time;] where S. *Auſtin* did many good offices for that Province, and had ſucceſsful diſputes with *Emeritus*, the Biſhop of that city. (See *Poſſid. vit. Aug.* 14. *c. Aug. de geſt. cum Emerit.*)

See the Epiſtle of *Cyril*, Biſhop of *Alexandria*, to *Celeſtin* Biſhop of *Rome*, wherein he ſaith, concerning *Neſtorius* Biſhop of *Conſtantinople*, before condemned by any General Council. *At quamvis res ita habeat, non prius tamen illius communionem confidenter diſſerere auſi fuimus, quam hæc ipſa pietati tuæ indicaremus. Digneris proinde quid hic ſentias declarare, quo liquide nobis conſtet, communicare ne nos cum illo oporteat; an vero libere eidem denunciare, neminem cum illo communicare, qui ejuſmodi erroneam doctrinam fovet & prædicat.* Again, ſee the great authority, that *Celeſtin* Biſhop of *Rome*, uſed againſt the ſame *Neſtorius*, which authority was approved and ſubmitted-to by *Cyril*, and the *Alexandrian* and alſo the *Epheſine* (the 3*d.* General) Council. Thus *Celeſtin* writeth in his Epiſtle to *Cyril*: *Noſtræ Sedis authoritate aſcita, noſtraque vice & loco, cum poteſtate, uſus, ejuſmodi ſententia exequeris, nempe ut niſi decem dierum intervallo ab hujus noſtræ admonitionis die numerandorum, nefariam doctrinam ſuam conceptis verbis anathematizet* &c, *illico Sanctitas tua illi Eccleſiæ proſpiciat.* Thus *Celeſtin* to *Neſtorius*: —*Poſt unam & alteram admonitionem* &c, *niſi nunc tandem quæ perverſe docuiſti per te corrigantur, in poſterum & a noſtro conſortio & ab omnium Chriſtianorum cœtu alienum te fore nihil quicquam dubites.*— Upon this, thus

§ 23. n. 5.

thus *Cyril*, and his *Alexandrian* Council, to *Neſtorius*. —*Quod ſane, niſi juxta tempus in literis Celeſtini ſacratiſſimi reverendiſſimique Romanorum Epiſcopi expreſſum, præſiteris; certo ſcias nullam tibi deinceps cum Epiſcopis & Sacerdotibus Dei conſuetudinem, nullum ſermonem, nullum denique inter eos locum futurum eſſe.*— All which proceedings ſee approved in the Acts of the *Epheſine* Council, *Tom.* 2. *c.* 5. and then ſee the ſentence of the Council againſt *Neſtorius*, running thus: *Per ſacros Canones, ſanctiſſimiq; Romanæ Eccleſiæ Epiſcopi Celeſtini Patris noſtri literas, lachrymis ſuffuſi & pene inviti, ad lugubrem hanc ſententiam urgemur.* See the like things related by *Evagrius*, 1. *l.* 4. *c.*

§ 23. *n.* 6. See the Epiſtle of S. *Chryſoſtom*, Biſhop of *Conſtantinople*, (in baniſhment, being depoſed by a Synod held there,) appealing to *Innocentius* Biſhop of *Rome*, and ſending to him ſome of his Biſhops, wherein he beſpeaks him thus: —*Quamobrem ne confuſio hæc omnem, quæ ſub cælo eſt, nationem invadat, obſecro ut ſcribas; quod hæc tam inique facta (& abſentibus nobis, & non declinantibus judicium) non habeant robur, ſicut neque natura ſua habent: illi autem, qui adeo impune egiſſe deprehenſi ſunt, pœnæ Eccleſiaſticarum legum ſubjaceant.* Upon which ſuit the Biſhop of *Rome* called a Synod of his Biſhops, and pronounced the proceedings of *Theophilus*, Patriarch of *Alexandria*, to be againſt the canons, and void. (See *Field*, p. 536. and *Epiſt. Innocent. apud Binnium.*) And is ſaid, by *Baronius*, A.D. 407. (who quotes for it many authors, *Gennadius*, *Nicephorus*, *Glycas*; to which may be added, *Georgius*, Patriarch of *Alexandria*, in the *Edit. Savil.* of *Chryſoſtom*, 8. *Tom.* p. 248.) after he heard of *Chryſoſtom's* death in baniſhment, to have excommunicated both *Arcadius*, the Eaſtern Emperour, and *Eudoxia*,

xia, and *Theophilus*, his chief oppressors. But this fact is denied by Dr. *Field* upon the silence of Historians more ancient. In *Innocentius's* letter to *Arcadius* we find these words: *Itaque ego minimus & peccator, cui thronus magni Petri Apostoli creditus est, segrego, & rejicio te, & illam, a perceptione immaculatorum mysteriorum Christi Dei nostri. Episcopum etiam omnem, aut Clericum ordinis sanctæ Christi Ecclesiæ, qui administrare aut exhibere ea vobis ausus fuerit, ab ea hora, qua præsentes vinculi mei legeritis literas, dignitate sua excidisse decerno*, &c. The truth of this Epistle I decide not; but tis certain, that S. *Ambrose*, before this, excommunicated the Emperour, his Father: and if *Arcadius* his violences to holy *Chrysostom* his Bishop deserved the like Ecclesiastical censure, I know not who, after *Chrysostom's* death, could inflict it more properly than the first See. which also was defended in it by *Honorius* brother to *Arcadius*, and Emperour in the West. See, the Epistle of *Theodoret*, a *Syrian* Bishop, appealing from the 2*d*. *Ephesine* Council (by which he was (in absence) condemned and deposed as a *Nestorian*) to *Leo* Bishop of *Rome*, whom he sues to in these terms: —*post tot sudores & labores, ne in jus quidem vocatus sum condemnatus.* —*Ego autem Apostolicæ vestræ Sedis expecto sententiam, & supplico & obsecro vestram sanctitatem, ut mihi opem ferat, justum vestrum & rectum appellanti judicium, & jubeat ad vos accurrere*, [for the Emperour had confined him to *Cyrus* the place of his Bishoprick,] *& ostendere meam doctrinam vestigia Apostolica sequentem.* And his Epistle to *Renatus*, one of the Bishop of *Rome's* Legats in the 2*d*. *Ephesine* Council: —*Te precor, ut sanctissimo Archiepiscopo Leoni persuadeas, ut Apostolica utatur authoritate, jubeatque ad vestrum Concilium adire. Tenet enim sancta ista Sedes gubernacula regendarum cuncti orbis Ecclesiarum.* —*Habet enim sanctissima Romana Sedes om-*

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nem per orbem Ecclesiarum principatum, cum multis aliis de causis, tum maxime, quod hæreticæ labis immunis permansit, [this was long after the times of *Liberius*; by which it appears, Antiquity imputed no *Arrianism* to this See,] *& Apostolicam gratiam immaculatam servavit.* Whose cause Pope *Leo* accordingly judged, and cleared him: and afterward, the General Council of *Chalcedon*, after due examination (some there also opposing *Theodoret*) did the like. (*After examination*) I say; (For the Pope's, and his assistant Bishops sentence, it seems, was not accounted so authentick, and unrepealable, that a General Council might not review, examin, and, if seeming to them erroneous, reverse it;) upon which judgment of the Council (concurring with his) *Leo* thus answers *Theodoret.* —*Quæ nostro prius ministerio Dominus definierat, universæ fraternitatis* [*i. e.* of the Council] *irrefragabili firmavit assensu; ut vere a se prodiisse ostenderet, quod prius a prima omnium Sede firmatum, totius Christiani orbis judicium recepisset; ut, in hoc quoque capiti membra concordent.* —*Nam, ne aliarum Sedium ad eam, quam cæteris omnibus Dominus statuit præsidere, consensus videretur assentatio, inventi prius sunt, qui de judiciis nostris ambigerent* &c. See *Socrates Eccles. Hist.* 5. *l.* 15. *c.* where he speaks thus concerning the reconciling of *Flavianus*, Patriarch of *Antioch*, to the *Roman* See. *Theophilus* [*i. e.* the Patriarch of *Alexandria*] *odio in illum* [i.e. *Flavianum*] *restincto, Isidorum Presbyterum misit, uti Damasi* [*Siricii* it should be, saith *Baronius*] *animum in Flavianum exulceratum mitigaret, doceretque in usu Ecclesiæ esse, si propter populi concordiam peccatum a Flaviano commissum remitteret. Quocirca communione Flaviano ad hunc modum reddita* [therefore he had bin formerly by the *Roman* Bishop excommunicated] *populus Antiochenus ad concordiam reducitur,* [therefore formerly in the want of that communion

munion they had refuſed ſome obedience and ſubmiſſion to him.] After theſe clear evidences of the *Roman* Biſhops power, now to look a little back into the former ages; wherein, by reaſon of the perſecutions by heathen Princes, the Church's diſcipline was not altogether ſo perfectly formed.

See *Athanaſius de ſententia Dionyſii Alexandrini*; where he relates how *Dionyſius* Biſhop of *Alexandria* (living above fifty years before the *Nicene* Council) was accus'd by ſome of *Pentapolis*, as erroneous in the Doctrine of the Trinity, to *Dionyſius* the then Biſhop of *Rome*; and thereupon writ an Apology to purge himſelf,—*Quidam ex Eccleſia recte quidem ſentientes, ſed tamen ignari &c. Romam aſcenderunt, ibique eum apud Dionyſium ejuſdem nominis Romanum Præſulem accuſaverunt. Re comperta Alexandrinus poſtulavit a Romano Præſule, ut objecta ſibi indicaret,—*[*&*] *non rixandi animo, ſed ſui purgandi, Apologiam ſcripſit.* Here it ſeems *A. D.* 266. (long before the cauſe of *Athanaſius* his) addreſſes were made by the *Alexandrians* to the *Roman* Biſhop. See *St. Cyprian*, contemporary to *Dionyſius*, to procure the depoſing of *Marcianus* Metropolitan Biſhop of *Arles* in *France*, becauſe he ſided with *Novatian*; writes thus to *Stephen* Biſhop of *Rome* about it;—*Dirigantur in Provinciam & ad plebem Arelatæ conſiſtentem a te literæ, quibus abſtento Marciano, alius in locum ejus ſubſtituatur.* Where Dr. *Field* (*l.* 5 *c.* 37.) grants, *Cyprian* rather writ to him to do this, than did it himſelf, becauſe the Roman Biſhop was Patriarch of the Weſt. And it appears from his 68th Epiſtle, that, in his time two Biſhops of *Spain*, *Baſilides*, and *Martialis*, ejected for giving their conſent to ſome Idolatry, appeal'd to the Biſhop of *Rome*, to reſtore them to their Dignities.—"*Romam pergens* [*i. e.* *Ba-*

§ 23. *n.* 7.

Baſilides] *Stephanum collegam noſtrum, longe poſitum, & geſtæ rei, ac tacitæ veritatis ignarum, fefellit; ut exambiret reponi ſe injuſte in Epiſcopatum, de quo fuerat juſte depoſitus.* In which Epiſtle he cenſures *Stephen* indeed, but not for receiving *Baſilides* his appeal, or hearing his cauſe, but for judging it amiſs: yet ſome way excuſeth him alſo, as misinform'd,—*Neque enim tam culpandus eſt ille* (ſaith he) *cui negligenter obreptum eſt; quam hic execrandus, qui fraudulenter obrepſit.* But had *Stephen* had no juſt authority to judg this matter, or *reponere Baſilidem in Epiſcopatum*; *St. Cyprian* would not have accuſed him of negligence; *i. e.* in believing, without ſeeking better information, what *Baſilides* or his friends ſaid; but of uſurpation, and intruſion, and tyranny, in judging in matters no way belonging to him: But he, allowing the Weſtern Patriarchs authority over the *Gallican* Biſhops, (as appears in the laſt inſtance) could not rationally deny him the ſame over the *Spaniſh*. Therefore that which this Father ſaith before, that *Baſilides* his appeal and *Stephen's* ſentence, *ordinationem jure perfectam reſcindere non potuit*, is to be underſtood with reference to the juſtneſs of the cauſe, not of the authority. (For one may rightly be accus'd of injuſtice, either who doth a thing, and hath no juſt power to do it; or who hath a juſt power to do a thing, and hath no juſt cauſe.) And therefore the *Spaniſh* ought to ſeek a reverſion of ſuch ſentence, by preſenting to their Patriarch perfecter informations. Elſe ſurely his ſentence, who is granted to have the ſupreme authority to judg, is to ſtand; and he muſt give account thereof to God.

And yet higher; before *Cyprian's* time (about *A.D.* 200) we find (in *Euſ. Eccl. Hiſt. l.* 5. *c.* 22, *&c.*) that, in a controverſie about the celebration of *Eaſter* (whether on the Lord's day, or on the ſame day with the Jews

Jews) after many Provincial Councils (in a peaceful time of the whole Christian Church) call'd in several Countries, as well of the East (as *Ægypt*, *Palestine*,) as of the West, who all agreed with the Roman Bishop, excepting *Polycrates* Bishop of *Ephesus*, and the Bishops of *Asia minor*, who (assembled in Council, as the rest) resolv'd to continue their custom of keeping it the same day with the Jews; and in a Letter to *Rome* signified so much. We find, I say, that *Victor*, then Bishop of *Rome*, either intended, or also executed, an Excommunication upon *Polycrates* and his party, as pertinaciously retaining a *Mosaical* ceremony, which might be an introduction to more. *Executed an excommunication*; not negative (as Dr. *Field* would have it, p. 558.) by with-drawing his own communion from them; but privative and authoritative, by rejecting, and debarring, them from communion of the whole Catholick Church; (tho indeed debarring them from the Roman communion, debars them also from all others, that communicate with the Roman; for those who may not communicate with an Heretick, neither may communicate with any others, who by communicating with such Heretick, make themselves partakers of his sin). This seems to me clear, by the words of *Eusebius*. *Victor—totius Asiæ Ecclesias a communionis societate abscindere nititur, tanquam in hæresin declinantes, & literas mittit, quibus omnes simul (absque discretione)* ab Ecclesiastico fœdere segregaret.—*Extant Episcoporum literæ, quibus asperius objurgant Victorem, velut inutiliter ecclesiæ commodis consulentem.* [*Ecclesiæ, i.e. universalis*]. And of *Iræneus*, who, amongst the rest, reprehended him, —*quod non recte fecerit abscindens a corporis* [*i.e. Christi*, not *Romanæ Ecclesiæ*] *unitate tot & tantas Ecclesias Dei.* And by *Polycrates* his Letter (*Euseb. l.* 5. *c.* 22.) to the Church of

of *Rome*; wherein it appears, both that he aſſembled his *Aſian* Biſhops at the Biſhop of *Rome's* intimation; and that ſome cenſure had been threaten'd him from thence, upon non-conformity; to which he anſwers, *That it were better to obey God than men.* His words are, *Sexaginta & quinque annos ætatis gerens, — non perturbabor ex his, quæ ad terrorem proferuntur; quia & majores mei dixerunt: Obtemperare oportet Deo magis quam hominibus.* As for *Irenæus*, or other Biſhops, reprehending this fact or purpoſe of *Victors*, it was not becauſe he uſurp'd or exercis'd an authority of Excommunication over the *Aſiaticks*, not belonging to him; but that he uſed ſuch authority upon no juſt, or ſufficient, cauſe: namely, upon ſuch a declination from Apoſtolical tradition *(vel per negligentiam, vel per imperitiam)* in ſo ſmall a matter; ſome compliance with the *Jews*, to gain them, partly excuſing ſuch a practice. Thus a Prince, who hath lawful power to inflict puniſhments upon his ſubjects when delinquent, is reprehenſible when puniſhing the innocent. To this of *Victor*, I may add another Excommunication, not long after this, by *Stephen* Biſhop of *Rome*; either inflicted, or at leaſt threatned, to ſome of the *Aſian* Churches in *Cyprian's* time, that held the neceſſity of Rebaptization upon the Baptiſm of Hereticks. Concerning which, ſee *Euſeb. Eccl. Hiſt. l.* 4. *c.* 4 6. See St. *Auſtin's* Epiſtle 162) the great care and ſuperintendence which *Melchiades* (Biſhop of *Rome* before *Sylveſter* in *Conſtantine's* time) uſed over the *African* Churches in the Schiſm of *Donatus*; —*Qualis* (ſaith he) *ipſius Melchiadis ultima eſt perlata ſententia* [*i.e.* in judging the cauſe of *Donatus*] *qua neque collegas* [*i.e.* the *African* Biſhops] *in quibus nihil conſtiterat, de collegio ſuo* [from his Communion] *auſus eſt removere; & Donato ſolo, quem totius mali principem invenerat, maxime cul-*

culpato, ſanitatis recuperandæ optionem liberam cæteris fecit; paratus communicatorias litteras mittere etiam iis, quos a Majorino [a *Donatiſt* Biſhop] *ordinatos eſſe conſtaret; ita, ut quibuſcunque in locis* [in *Africk*] *duo eſſent Epiſcopi* (*quos diſſenſio geminaſſet*) *eum confirmari vellet, qui fuiſſet ordinatus prior &c. alteri autem eorum plebs alia regenda provideretur. O filium Chriſtianæ pacis! & patrem Chriſtianæ plebis!* Thus St. *Auſtin* of *Melchiades* Biſhop of *Rome* his ordering the *African* affairs. See the Council of *Arles* (call'd by *Conſtantine* before *Nice*; ſee in *Euſeb. l.* 10. *c.* 5. his Epiſtle ſummoning the Biſhop of *Syracuſe* to it), in which were ſome Biſhops from *England* (ſee Biſhop of *Derry Vind c.* 5. *p.* 98. *Hammond Sch ſ.* c. 6. p. 110.) ſending their Decrees to *Sylveſter* then Biſhop of *Rome*, and in their firſt Canon thus beſpeaking him; *Quæ decrevimus, ſignificamus, &c.*——*De obſervatione Paſchæ Domini, ut uno die & tempore per omnem orbem obſervetur; & juxta conſuetudinem literas ad omnes tu dirigas.* Now to go on in the occurrences of the fifth Age.

See the Epiſtles of *Leo* (Biſhop of *Rome* before, and in the time of, the fourth General Council) the 53d Epiſtle to *Anatolius* Biſhop of *Conſtantinople*; the 54th to the Emperor *Marcianus*; the 55th to the Empreſs *Pulcheria*; wherein he vindicates the derivation of his authority, not from the Imperial City, but the Apoſtles; and concerning that Act of the Biſhops in *Conc. Chalc.* advancing the Biſhop of *Conſtantinople* above the ſecond Patriarch, of *Alexandria* (which he judg'd contrary to the *Nicene* Canons), he ſaith, (Epiſtle to *Pulcheria*) *Conſenſiones vero Epiſcoporum ſanctorum Canonum apud Nicænum conditorum regulis repugnantes, unita nobiſcum veſtræ fidei pietate, in irritum mittimus, &, per authoritatem Beati Petri Apoſtoli, generali prorſus definitione caſſamus,* § 23. *n.* 8.

mus &c. His Epiſtle 84. to *Anaſtaſius* Biſhop of *Theſſalonica*: —*Sicut Prædeceſſores mei Prædeceſſoribus tuis, ita etiam ego dilectioni tuæ, priorum ſecutus exemplum, vices mei moderaminis delegavi; ut curam, quam univerſis Eccleſiis principaliter ex divina inſtitutione debemus, adjuvares, & longinquis ab Apoſtolica Sede provinciis, præſentiam quodammodo noſtræ viſitationis impenderes,* [ſee below §. 25. *n.* 13. where the ſame things are ſaid of the Biſhop of *Conſtantinople*, as here of *Theſſalonica*:] *promptum tibi agnoſcere, quid vel tuo ſtudio componeres, vel noſtro judicio reſervares.* And, in the cloſe of the Epiſtle, —*Magna diſpoſitione proviſum eſt, ne omnes ſibi omnia vendicarent; ſed eſſent in ſingulis Provinciis ſinguli, quorum inter Fratres haberetur prima ſententia,* [Metropolitans,] *& rurſus quidam in majoribus urbibus conſtituti ſolicitudinem ſuſciperent ampliorem,* [Primats, or thoſe amongſt them deputed by the Patriarch,] *per quos ad unam Petri Sedem univerſalis Eccleſiæ cura confluëret, & nihil unquam a Capite ſuo diſſideret.* This is ſpoken of the Church Univerſal. To which may be added that expreſſion of his quoted before, §. 6. *Caput orbis effecta latius præſides religione divina,* [now], *quam dominatione terrena* [formerly.] Seconded by *Proſper*, 2. *l. de vocatione Gentium.* —*Roma per Sacerdotii Principatum amplior facta eſt arce Religionis, quam ſolio Poteſtatis*: and (*lib. de Ingratis.*)

Sedes Roma Petri, quæ Paſtoralis honoris
Facta Caput mundo; quicquid non poſſidet armis,
Religione tenet, &c.——

To the latter of theſe places Dr. *Field* (5*l.* 34. *c.* *p.* 529. *&c.*) anſwers. —"That more were ſubject to it than "ever were under the *Roman* Empire, as it had a preſi"dency (amongſt them) of Order and Honour, not of Supreme

'preme power. To the other he ſaith: —"The care 'of the Univerſal Church is to be underſtood only in 'reſpect of things concerning the common faith, and 'general ſtate of the Church; or of the principal, moſt 'eminent, and higheſt parts and members of the ſame: '[*Be it ſo; for of ſuch only we ſpeak*:] none of which 'things might be proceeded-in without the Biſhop of 'Rome, and his colleagues.— So a little before, *p.* 528. he ſaith: —"All things generally concerning the whole 'Church were, either to take beginning, or (at the 'leaſt) to ſeek confirmation from the *Roman* Biſhops, 'before they were generally impoſed and preſcribed. But *Quære*, whether, if this Biſhop denied his conſent, the reſt might proceed no further without it; and whether, if he refuſed to confirm ſuch acts, they might not be at all impoſed; and whether, as the eminenteſt perſons in their differences might be judged by Him, ſo they were bound to ſubmit to his (as to their Superior's) judgment? Elſe, if he mean only, that they were firſt to ask his conſent, or judgment; but upon a denial or a diſpleaſing ſentence, might proceed to eſtabliſh things againſt it; how conſiſts this with that concluſion, —*ut nihil unquam a capite ſuo diſſideret*? To ſearch a little further, to ſee if the Dr. ſpeaks plainer. Below, in the *p.* 530. he ſaith: —"In caſes which concerned the 'principal Patriarchs, whether they were differences 'between them, and their Biſhops; or between themſelves; the chief See, as the principal part of the whole 'Church, might interpoſe it ſelf: —So as other Patri'archs likewiſe of the higher thrones might interpoſe 'themſelves in matters concerning Patriarchs of the 'lower thrones.— But I ask; How interpoſe? by 'judging and determining the cauſes of their inferiors? 'by excommunicating, and depoſing *&c* the perſons ob-

noxious and criminal? But then the Presidency of *Rome* will be a presidency of Power over the rest of the Church, and not of Honour only. And must not he mean some such thing by *interpose*, since in his instances there, this interposing proves to be judging, excommunicating, deposing, *&c*? and so he grants, that the ordering and setling of things of the Church of *Antioch*, the 3*d*. See, did pertain to the Patriarch of *Alexandria*, the 2*d*. See; and he goeth on, and saith: "That the 'Bishops of inferior thrones might not judge the supe-'rior; and therefore, That *John* of *Antioch* of the 3*d*. 'See is reprehended (*Act. Conc. Ephes.*) for judging *Cyril* 'Bishop of the 2*d*. See: and *Dioscorus*, Bishop of the '2*d*. See, is condemned in the Council of *Chalcedon* (in 'their *Ep. ad Martian. Imp.* and *ad Leonem Act.* 3.) for 'this thing, among others, That he presumed to judge 'the first See, [*i. e.* the Bishop thereof, *Leo*. Where note, That both *John*'s and *Dioscorus* his judging was excommunicating their superior Bishops, and done not singly, but with their Council of Bishops. And again observe, That had the Eastern Bishops at *Antioch* judged or excommunicated *Julius* the Bishop of *Rome*, who communicated with *Athanasius*, they might justly have incurred the like censure. Neither could they justly say so, as they do, in their Epistle to Him, (*inter decreta Julii*, if it be not forged,) *contraria celebrabimus, & vobiscum deinceps nec congregari, nec vobis obedire—volumus, sed per nos quicquid melius elegerimus agere conabimur*; nor urge the 5. *Can.* of *Nice* against him, supposing his a superior Court.] He proceeds; "That no other 'particular Church or See may judge the Church of '*Rome*, seeing every other See is inferior to it, but that 'the See of *Rome*, i. e. the Bishops of *Rome*, and the 'Bishops of the West, may judge and examine the differ-

ences

'ences, &c, but neither ſo peremptorily nor finally, but 'that ſuch judgment may be reviewed, and re-examined, 'and revers'd, in a General Council. Let this be agreed to: but I ask; Is it no power that this See hath over the reſt, becauſe this power is ſubordinated to a General Council? But if it be granted to have the ſupremeſt power next to that of a General Council, then when no General Council is in being, is it not actually *pro tempore* the ſupremeſt? and do not its determinations ſtand good, and oblige, till a General Council be aſſembled? Elſe, what will this mean which the Dr. ſaith; "The "firſt See muſt judge and examine the differences of all others, (but none it,) if, it judging and examining, none are bound to ſubmit or obey? And from this, [namely, that *the firſt may judge* i. e. excommunicate (for this is the thing which is meant by judging, above in the caſe of *John Antioch.* and *Dioſcorus Alexand.*) *inferior thrones*, not they it,] it will appear, that the excommunications of the firſt See are either authoritative and privative in reſpect of other Sees, *i. e.* rejecting them from the communion of the Church Catholick; or, if they are negative only, *i e.* withdrawing her ſelf only from the communion of others, (of which two ſorts of excommunication ſee Dr. *Field*, 5. *l.* 38. c. *p.* 558. Biſhop of *Derry's vindicat.* 8. c.) that no other Church may uſe a negative excommunication towards the firſt See, *i.e.* may not withdraw themſelves from the communion thereof; but only it may do ſo toward others. For ſome excommunication is granted here to the firſt See toward others, which others have not towards it. I ask therefore, *John Antoch.* excommunicating the ſecond See, and *Dioſcorus Alexand.* excommunicating the firſt, (diſallowed by two General Councils,) was it negative, only, by way of Chriſtian caution; or privative,

tive, and authoritative, by way of Juriſdiction? Take which you will, yet tis clear, both by the Councils, and Dr. *Field's*, conceſſion; that in ſuch manner, the ſecond or third See might not excommunicate the firſt; and that in ſuch manner, the firſt might excommunicate the ſecond or third. But indeed, it is manifeſt, That the excommunication both of *John* and *Dioſcorus* was authoritative; neither would they have preſumed ſingly to have done it, but as having a party of a Council of other Biſhops, who were not ſubject to them, joined with them. Yet thus alſo were they, by the Oecumenical Synods, cenſured, for making themſelves heads of a Council againſt their Superiors, the ſecond and firſt See. And as manifeſt it is, that the Biſhop of *Rome's* cenſures were authoritative; many times depoſing, as well as excommunicating, Biſhops not under the juriſdiction of his Patriarchy: as alſo *John Antioch:* depoſed *Cyril Alexand.* As for Dr. *Field's* very cautiouſly every where joining the Weſtern Biſhops with the Biſhops of the firſt See, in his exerciſing ſuch judgment over other Sees; he muſt either mean the Biſhops of his ordinary Council, and ſuch others, as (according to the exigent) he can conveniently adviſe with; which may be conceded to Dr. *Field*: or he muſt mean all the Biſhops of the Weſt aſſembled in a Patriarchal Council. But if ſo; their ordinary practice anciently in judging ſuch appeals and cauſes, ſhews it was otherwiſe; and reaſon tells us it could not be thus, unleſs ſo great a body could be ſo often convened, as ſuch appeals were neceſſary to be terminated. Thus much of Dr. *Field's* anſwers. Now to go on in our quotations out of *Leo.*]

See

See his Epistle to *Dioscorus*, Bishop of *Alexandria*. § 25. n. 1.
—*Quod a Patribus nostris propensiore cura novimus esse servatum, a vobis quoque volumus custodiri, ut non passim diebus omnibus Sacerdotalis ordinatio celebretur, sed—mane ipso die Dominico. Ut in omnibus observantia nostra concordet, illud quoque volumus custodiri; ut cum solemnior festivitas Conventum populi numerosioris indixerit, —sacrificii oblatio indubitanter iteretur.* Epistle 46. to *Anatolius* Bishop of *Constantinople*, written to him about receiving some Bishops and others in the East, followers of *Eutyches* and *Dioscorus*, upon their penitence, to the peace of the Church. —*Licet sperem dilectionem tuam ad omne opus bonum esse devotam; ut tamen efficacior tua fieri possit industria, necessarium & congruum fuit, fratres meos Lucentium Episcopum, & Basilium Presbyterum (ut promissmus) destinare, quibus tua dilectio societur; ut nihil in his, quæ ad Universalis Ecclesiæ statum pertinent, aut dubie agatur, aut segniter; cum residentibus vobis, quibus executionem nostræ dispositionis injunximus, ea possint agi cuncta moderatione* &c. —*De his autem qui in hac causa gravius peccavere, —si forte resipiscunt, —horum satisfactio—maturioribus Apostolicæ Sedis Conciliis reservetur; ut examinatis omnibus* &c, *quid constitui debeat, æstimetur.* And afterward, —*Si de aliquibus amplius fuerit deliberandum, celeriter ad nos relatio dirigatur, ut, pertractata qualitate causarum, nostra, quid observari debeat, solicitudo constituat.* And see the Rescript of the Emperour *Valentinian* the Third, (quoted by *Baron. Anno* 445. *inter Novel. Theod. tit.* 24.) in the time of *Leo*, a little before the Council of *Chalcedon*, sent to *Ælius* his Vicegerent in *France*, about quieting the difference between the Archbishops of *Arles* and *Vienna*, after that the cause, upon appeal, had bin decided by *Leo* against *Arles*. Wherein the Emperour hath these words: *Cum Sedis Apostolicæ primatum*,

matum, S. Petri meritum, —ſacra etiam Synodi firmarit authoritas, ne quid præter authoritatem ſedis illius inlicitum præſumptio attentare nitatur; hinc enim demum Eccleſiarum pax ubique ſervabitur, ſi Rectorem ſuum agnoſcat Univerſitas. Hæc cum hactenus inviolabiliter fuerint conſtituta; Hilarius —contumaci auſu &c. *—His talibus—per ordinem religioſi viri urbis Papæ cognitione diſcuſſis, certa in eundem Hilarium—lata ſententia eſt. Et erat ipſa quidem ſententia per Gallias, etiam ſine Imperiali ſanctione valitura. —Sed noſtram quoque præceptionem hæc ratio provocavit, ne ulterius — cuiquam Eccleſiaſticis rebus arma miſcere* [as it ſeems *Hilarius*, or ſome in his behalf, had done,] *aut Præceptis Romani Pontificis liceat obviare. —Omnibus pro lege ſit, quicquid ſanxerit Apoſtolicæ Sedis authoritas: ita ut quiſquis Epiſcoporum, ad judicium Romani Antiſtitis evocatus, venire neglexerit, per Moderatorem ejuſdem Provinciæ adeſſe cogatur; per omnia ſervatis, quæ Divi Patentes noſtri Romanæ Eccleſiæ detulerunt.* —And the like orders had bin made by Emperours formerly, it ſeems, by that rigorous power uſed in *Africk* by the executors of the Biſhop of *Rome's* orders there, of which (as you have read before § 12.) the *African* Biſhops ſo much complained.

§ 25. *n.* 2. See the Epiſtle of the 4*th.* G. Council at *Chalcedon* (the moſt numerous, I think, of any Council which the Church hath had) to the ſame *Leo* Biſhop of *Rome*, in which are theſe expreſſions. *—Quam* [*fidem*] *velut auro textam ſeriem ex veſte Chriſti & præcepto Legiſlatoris venientem uſque ad nos ipſe* [*Leo*] *ſervaſti, vocis Beati Petri omnibus conſtitutus Interpres, ejus fidei beatificationem ſuper omnes adducens.—Quibus* [*i. e. Epiſcopis congregatis in Concilio*] *Tu quidem, ſicut membris caput, præeras,*

præeras, in his, qui tuum tenebant ordinem, benevolentiam præferens, &c. —In vineam irruens [*i.e. Dioſcorus* Biſhop of *Alexandria*, a ſupporter of *Eutyches*] *quam optime repperit plantatam, evertit—& poſt hæc omnia inſuper & contra ipſum, cui vineæ cuſtodia a Salvatore commiſſa eſt, extendit inſaniam, id eſt contra tuam quoque Apoſtolicam ſanctitatem; & excommunicatione meditatus eſt contra te, qui corpus Eccleſiæ unire feſtinas.—Hæc* [*i.e.* the Honours they conferr'd on the See of *Conſtantinople*] *velut a tua ſanctitate fuerint inchoata, —roboravimus, præſumentes; dum noverimus, quia quicquid rectitudinis a filiis ſit* [alluding to themſelves] *ad Patres recurrit* [alluding to *Leo*] *facientes hoc proprium ſibi* [*i. e.* appropriating their Children's actions to themſelves]. *Rogamus igitur, & tuis decretis noſtrum honora judicium: & ſicut nos cupidi in bonis adjecimus conſonantiam, ſic & ſummitas tua filiis (quod decet) adimpleat. Sic enim & pii Principes* [the Emperor *&c.* very deſirous of the advancement of the See *Conſtantinopolitan*] *complacebunt* [will be well pleaſed] *qui, tanquam legem, tuæ ſanctitatis judicium firmaverunt; & Conſtantinopolitanæ ſedes ſuſcipiet præmium, quæ omne ſemper ſtudium vobis, ad cauſam pietatis explevit, &c.—Eutychen pro impietate damnatum ſuæ tyrannidis decretis innoxium ſtatuit* [*i.e. Dioſcorus*, who by a party in the ſecond *Epheſine* Council reſtor'd *Eutyches*, who was a *Conſtantinopolitan* Presbyter, and an *Archimandrita*, Abbot of the Monks there, to his former degree and dignities] *& dignitatem, quæ a veſtra illi oblata fuerat ſanctitate, (quippe ut ab eo, qui hac gratia fuerit indignus) ille reſtituit*]. Where know; that *Eutyches*, depos'd by *Flavianus* Biſhop of *Conſtantinople* in a Synod there, appeal'd (or pretended it) to the Biſhop of *Rome*; to whom alſo the Emperor ſent Letters in his behalf; which Biſhop of *Rome* alſo, after the buſineſs known,

ratified

ratified his depoſition. Concerning which appeal of this Presbyter (where it appears, that, in matters of Faith, and of great conſequence, the cauſes of Presbyters and inferior Clergy might be brought to the examination and ſentence of the chief Patriarch) *Leo* having (by a miſcarriage) receiv'd as yet no Letters from the Biſhop of *Conſtantinople*, writes thus unto him; *Epiſt.* 8.——*Accepimus libellum Eutychetis Presbyteri, qui ſe queritur——immerito communione privatum, maxime cum libellum appellationis ſuæ ſe aſſerat obtuliſſe; nec tamen fuiſſe ſuſceptum:——Quibus rebus intercedentibus, necdum agnoſcimus, qua juſta a communione Eccleſiæ fuerit ſeparatus. Sed reſpicientes ad cauſam, facti tui noſſe volumus rationem, & uſque ad noſtram notitiam cuncta deferri; quoniam nos nihil poſſumus, incognitis rebus, in cujuſquam partis præjudicium definire, priuſquam univerſa, quæ geſta ſunt, veraciter audiamus*]. Thus *Leo* to the Biſhop of *Conſtantinople*. To return to the Epiſtle of *Conc. Chalc.* In the ſame 'tis ſaid,—*Epiſcopis vitam finientibus, multæ turbæ naſcuntur abſque rectore &c.* [therefore they ſay they gave ſome power to the *Conſtantinopolitan* Biſhop for the ordering and ſetling them].—*Quod nec veſtram latuit ſanctitatem, quum maxime propter Epheſios, unde quidam vobis ſæpius importuni fuerunt. Leo* therefore exercis'd ſome authority over the Church of *Epheſus*. Again; *Conſidentes, quia lucente apud vos Apoſtolico radio, & uſque ad Conſtantinopolitanorum Eccleſiam, conſuete gubernando, illum ſpargentes, hunc ſæpius expanditis, eo quod abſque invidia conſueveritis virorum honorum participatione ditare domeſticos.* Where they ſay, the *Roman* Biſhop dilated his beams to the governing of the Church of *Conſtantinople*. And ſee their Epiſtle likewiſe to the Emperor;—*Velut ſignaculum ſacræ doctrinæ, Conſilii hujus a vobis* [the Emperor] *congregati prædicationem, Petri*

tri ſedis authoritate, roborantes. But yet, tho thus courted by them, in his anſwer to that Council, *Epiſt.* 59. he approv'd not the preferment of the Biſhop of *Conſtantinople* before *Alexandria.* —*Quantumlibet extortis aſſentationibus ſeſe inſtruat vanitatis elatio* [*i. e.* of the *Conſtantinopolitan* Biſhop] *& appetitus ſuos Conciliorum æſtimet nomine roborandos, infirmum atque irritum erit quicquid a prædictorum Patrum* [*i. e.* Nicene] *canonibus diſcreparit. Quorum regulis Apoſtolica ſedes, quam reverenter utatur ſcriptorum meorum, &c. poterit ſanctitas veſtra lectione cognoſcere; & me, auxiliante Domino, & catholicæ fidei, & paternarum traditionum eſſe cuſtodem.*

See *Evagrius Eccl. Hiſt. l.* 3. *c.* 18, 20, 21. And the Epiſtle of *Felix* Biſhop of *Rome* A. D. 484, to *Acatius* Biſhop of *Conſtantinople*; where we find *Felix* appeal'd, and complain'd-to, by *John* the wrong'd Biſhop of *Alexandria*; and (being aſſiſted with a Council of Forty-two Weſtern Biſhops) excommunicating *Peter*, who then unjuſtly poſſeſs'd the Patriarchy of *Alexandria*; as being an *Eutychian* alſo, and not ſubmitting to the Council of *Chalcedon* (ſee *Evagrius l.* 3. *c.* 21.) and excommunicating *Acatius* alſo, Biſhop of *Conſtanſtinople* (after he had firſt cited him to *Rome*, and alſo written to the Emperor *Zeno*, to compel him to appear, upon the complaints of *John Alexand. rationem de rebus, quas Johannes ei objectaſſet, redditurus*, as *Evagrius* hath it) for his communicating with *Peter* a condemn'd Heretick, and many other crimes. See his Epiſtle; at the end of which the form of his Condemnation runs thus: *Sacerdotali honore & communione Catholica* [not only *Romana*] *nec non etiam a fidelium numero ſegregatus ſublatum tibi nomen & munus miniſterii ſacerdotalis agnoſce: ſancti Spiritus judicio, & Apoſtolica, per nos, authoritate* § 25. n. 3.

damnatus. Which proceeding of *Felix* being much dislik'd by some in the East, because a Synod was not specially summon'd for the purpose, especially seeing he was Bishop of the Princely City; see *Gelasius*, the successor to *Felix*, A. D. 494. his vindication of this act of the Apostolick See without a Council (at least an Oecumenial one) in his Epistle *ad Episcopos Dardaniæ*, an Eastern Province not far from *Constantinople*: which Epistle is worth the reading over, the rather, because some places being urg'd out of it by *Bellarmin*, Dr. *Field*, in his answer to them, hath these words: "Truly there 'cannot be any better proof against the pretended Supremacy of the Popes, than this Epistle. In this Epistle then *Gelasius* pleads thus:—*Sabellium damnavit Synodus: nec fuit necesse, ut ejus sectatores postea damnarentur, singulas* viritim *Synodos celebrari: sed, pro tenore constitutionis antiquæ, cunctos qui vel pravitatis illius,* vel communionis, *extitere participes, universalis Ecclesia* [i. e. in a Council] *dixit esse refutandos.—Considimus, quod nullus jam veraciter Christianus ignoret, uniuscujusque Synodi constitutum (quod universalis Ecclesiæ probavit assensus) nullam magis exequi sedem præ ceteris oportere, quam primam, quæ & unamquamque Synodum sua authoritate confirmat, & continuata moderatione custodit; pro suo scil. Principatu, quem Beatus Petrus Apostolus Domini voce perceptum* [I suppose it should be *percepit*] *Ecclesia nihilominus subsequens & tenuit semper & tenebit. Hæc* [i. e. *Sedes Apostolica*] *dum Acacium certis comperisset indiciis a veritate Apostolica deviasse, diutius ista non credens, quippe quem noverat* executorem sæpe necessariæ dispensationis suæ [i. e. *Sedis Apostolicæ*] *per triennium fere monere non destitit, &c. cur tanto tempore, dum ista gererentur—non ad sedem Apostolicam,* a qua sibi curam illarum regionum noverat delegatum, *referre curavit* [i. e. *Acatius*]? —*Tandem aliquando*

quando missis literis profitetur [Acatius] *se Alexandrino Petro,* quem, expetita Apostolicæ sedis authoritate, executor ipse *quoque damnaverat, absque sedis Apostolicæ notitia, communione permixtum. Beati autem Petri sedes, ne per Acacium in Petri consortium duceretur, ipsum quoque a sua communione submovit, & multis modis transgressorum a sua societate fecit alienum.— Quo tenore Timotheus etiam atque ipse Alexandrinus Petrus, qui secundam sedem tenuisse videantur, non repetita Synodo, tantummodo sedis Apostolicæ, ipso quoque Acacio postulante, vel exequente, probantur esse damnati. —Nec plane tacemus, quod cuncta per mundum novit Ecclesia, quoniam quorumlibet sententiis ligata Pontificum sedes B. Petri Apostoli jus habeat resolvendi; utpote quæ de omni Ecclesia fas habeat judicandi, neque cuiquam de ejus liceat judicare judicio: siquidem ad Illam de qualibet mundi parte canones appellare* [aliquem] *voluerunt, ab illa autem nemo sit appellare permissus.—Sed nec illa præterimus, quod Apostolicæ sedi frequenter datum* [or *dictum*] *est, ut more majorum, etiam sine ulla Synodo precedente & solvendi, quod Synodus inique damnaverat, & damnandi, nulla existente Synodo, quos oportuit, habuerit potestatem. Sanctæ memoriæ nihilo minus Johannem Constantinopolitanum* [*i. e.* Chrysostomum] *Synodus etiam Catholicorum Præsulum certe damnaverat, quem simili modo sedes Apostolica etiam sola, quia non consensit, absolvit. Itemque S. Flavianum Pontificem Græcorum congregatione damnatum pari tenore, quoniam sola Apostolica sedes non consensit, absolvit, potius quam, qui illic receptus fuerat. Dioscorum secundæ Sedis præsulem sua authoritate damnavit; & impiam Synodum* [*i.e.* sec. Ephes.] *non consentiendo summovit sola: & authoritate, ut Synodus Chalcedonensis fieret, sola decrevit.—Ponamus tamen, etiam si nulla Synodus præcessisset, cujus Apost. sedes recte fieret exequutrix, cum quibus erat de Acacio Sy-*

nodus ineunda? Nunquid cum his, qui jam participes tenebantur Acacii, & per Orientem totum (Catholicis ſacerdotibus [ſuch he calls thoſe who adher'd to the Council of *Chalcedon*] *violenter excluſis, & per exilia diverſa relegatis) ſocii evidenter exiſtentes communionis externæ* [*i.e. extra Eccleſiam Catholicam*] *prius ſe ad hæc conſortia transferrent, quam ſedis Apoſtolicæ ſcita conſulerent?—Concilio nec opus erat poſt primam Synodum, nec talibus habere licebat.—Quæ congregatio facta Pontificum* [*i.e. in Italia Occidentalium*] *non contra Chalcedonenſem, non tanquam nova Synodus contra veterem primamque, convenit; ſed potius ſecundum tenorem veteris conſtituti, particeps Apoſtolicæ exequutionis effecta eſt; ut ſatis appareat, Eccleſiam Catholicam, ſedemque Apoſtolicam, quia alibi jam omnino non poſſet, ubi potuit & cum quibus potuit, nihil penitus omiſiſſe, quod ad fraternum pertineret pro intemerata fide & ſincera communione tractatum.*—]— In this Epiſtle (amongſt others) two things muſt not be paſſed by unobſerv'd: 1. One; That he contends, he ought not to call to a Council Biſhops condemn'd by, and profeſſedly oppoſing, a former General Council; which being granted, Councils may be rightly call'd General, when they conſiſt not of all, but only of all Catholick Churches. 2. The other; That in the final ſentencing and determining of greater perſons and cauſes in the Eaſtern Church, the Biſhop of *Conſtantinople* was employ'd only from him, and as his Delegate. –See the Epiſtle of *Pelagius* the 2*d.* (Biſhop of *Rome* A.D. 580.)–*Univerſis Epiſcopis, qui illicita vocatione Johannis Conſtantinopolitani Epiſcopi, ad Conſtantinopolim convenerunt.* Wherein he vindicates the authority of the *Roman* See againſt *John*, aſſembling a Council there without his conſent and leave: and calling himſelf Univerſal Biſhop (ſeeking to exalt himſelf above *Rome*, probably from the ſupreme dignity

dignity and great flouriſhing of that Imperial City in thoſe time; in which times alſo the poor City of *Rome* laboured under great afflictions and deſolations by the *Goths*, *Longobards*, &c. [whereof *Gregory* writing to the Empreſs (*4.l.Ep.34.*) ſaith, *Viginti autem jam & ſeptem annos ducimus, quod in hac urbe inter Longobardorum gladios vivimus,*] and from the Emperour *Mauritius* his countenancing him in it. Out of which Epiſtle ſome words are quoted by S. *Gregory* his Succeſſor, (*4.l. Ep.36.*)

§ 26. *A Digreſſion concerning the title of* Univerſalis Epiſcopus *aſſumed by the Conſtantinopolitan, and declined by the Roman, Biſhops.*

Now in the forenamed Epiſtle of *Pelagius*, as he hath theſe paſſages: *Univerſalitatis quoque nomen, quod ſibi illicite uſurpavit*, [i.e. Joannes Conſtant.] *nolite attendere* &c. *Nullus enim Patriarcharum hoc tam profano vocabulo unquam utatur; quia ſi ſummus Patriarcha* [tho it were the Patriarch of *Rome*] *Univerſalis dicitur, Patriarcharum nomen cæteris derogatur. Sed abſit hoc, abſit*, &c. —*Jactantiam tantam ſumpſit* [*i.e.* Johannes Conſtant.] *ita ut univerſa ſibi tentet aſcribere, & omnia quæ ſoli unicapiti cohærent, (videlicet Chriſto,) per electionem Pompatici ſermonis* [*i.e.* Univerſalis] *ejuſdem Chriſti ſibi ſtudeat membra ſubjugare.* —*Si enim dici hoc licenter permittitur, honor Patriarcharum omnium negatur; & fortaſſe is in errore perit, qui Univerſalis dicitur, & nullus jam Epiſcopus in ſtatu veritatis invenitur.* I ſay, as he hath theſe paſſages, for which he is quoted by the Reformed, as making much againſt the power, which the Biſhops of the *Roman* See claim; ſo hath he other (as it were an Antidote) in the very ſame Epiſtle, wherein he eſtabliſheth clearly that authority of the *Roman* Biſhop, which they oppoſe. Whence it follows; either that theſe places are urged by the Reformed in a miſtaken ſence, or that he palpably contradicts himſelf, and

and that with the ſame breath, as it were. Thus therefore ſaith he in the ſame Epiſtle: —*Relatum eſt ergo ad Apoſtolicam Sedem Johannem—vos ex hac ſua præſumptione ad Synodum convocare Generalem; cum Generalium Synodorum convocandi authoritas Apoſtolicæ Sedi B. Petri ſingulari privilegio ſit tradita, & nulla unquam Synodus rata legatur, quæ Apoſtolica authoritate non fuit fulta. Quapropter quicquid in prædicto veſtro Conventiculo—ſtatuiſtis, ex authoritate S. Petri Apoſtolorum Principis & Domini Salvatoris voce, qua B. Petro poteſtatem ligandi atque ſolvendi ipſe Salvator dedit, quæ etiam poteſtas in Succeſſoribus ejus indubitanter tranſivit, Præcipio, omnia quæ ibi ſtatuiſtis, & vana, & caſſata eſſe.* —*Multis denuo Apoſtolicis, & Canonicis, atque Eccleſiaſticis inſtruimur regulis, non debere abſque ſententia Romani Pontificis Concilia celebrari.* —*Orate Fratres, ut honor Eccleſiaſticus noſtris diebus non evacuetur; nec unquam Romana Sedes, quod (inſtituente Domino) Caput eſt omnium Eccleſiarum, Privilegiis ſuis uſquam careat, aut exſpolietur.* —*Hæc (Fratres) valde cavenda ſunt, & præcepta Domini, atque ſanctæ Sedis Apoſtolicæ, quæ vice Domini Salvatoris legatione fungitur, monita fideliter amplectenda & peragenda.* Laſtly, being conſulted by them concerning the ſubordinate judgments of the Church, he writes thus: —*Non oportet ut degradetur, vel dehonoretur unaquæque Provincia, ſed apud ſemetipſam habeat judices* [i.e. for its judges] *Sacerdotes & Epiſcopos ſingulos, viz. juxta ordines ſuos; & quicunque cauſam habuerit a ſuis judicibus judicetur, & non ab alienis; id eſt, a ſuæ juſtis judicibus Provinciæ, & non ab exteris; niſi (ut jam prælibatum eſt) a judicandis fuerit appellatum. Si vero—inter ipſius Provinciæ Epiſcopos diſcrepare cœperit ratio &c, ad majorem tunc Sedem referantur.* [As to the *Conſtantinopolitan* or *Antioch.*] *Et ſi illæ facile & juſte non diſcernuntur,* [i.e. which is the *major Sedes* in reſpect of

of that Province,] *ubi fuerit Synodus regulariter congregata, Canonice & juste judicentur. Majores vero & difficiles quæstiones (ut sancta Synodus statuit, & beata consuetudo exigit) ad Sedem Apostolicam semper referantur.* Whereby you see, that the first See of *Rome* interessed her self not in all, but the highest and difficultest matters of controversie, where former judgments were ununanimous, or were appealed from. Likewise, by the former passages tis plain, that *Pelagius* challengeth that Supremacy to the *Roman* See, which is denied by Protestants; and alloweth the term of *Summus Patriarcha*, as *Summus* implies some power and jurisdiction over all the rest, whereby they become subordinate; but not of *Universalis Patriarcha*, as *Universalis* implies, that there can be none besides, (for that only is *universale, extra quod nihil*) and is a term whereby all the rest are degraded. And in this sence also afterward *Gregory*, *Pelagius* his Successor, arguing against the same *John Constant.* took the same word, when he saith, *Ep.* 34. *Constant. Augustæ.* —*Despectis omnibus prædictus Frater & Coepiscopus meus, solus conatur appellari Episcopus.* (See the same again *Ep.* 38. *Johanni Episcopo Constant.*) And *Ep.* 32. —*Universa Ecclesia cum statu suo corruit, quando is, qui appellatur Universalis, cadit.*— But neither *Gregory* nor *Pelagius* denied it (at least as applied to the *Roman* Bishop) in that sense, in which the Reformed urge it; *i.e.* as it implies a Supreme power in some one Bishop over all the rest; and as it intimates, not, *præter quem nemo sit*, but, *qui, remanentibus partibus integris, ipse cæteris supereminеat*, (as *Baronius* hath it). Since in the same place, where they deny the one, as it were with the same breath they maintain the other; and since in that sense this Title was sometimes given to the *Roman* Bishops, tho *Pelagius* and *Gregory* do not like the name,

name, becauſe ſo eaſily interpretable in a ſenſe not juſtifiable; or rather jealous that the *Conſtantinopolitan* Biſhop, as preſiding in the Imperial City, in uſing that word, unjuſtly ſought to undermine them in their Primacy, (at leaſt for the Eaſtern parts of the Church); they extend the ſenſe of the word to its whole latitude, and further than, in all probability, he meant it, to make it be the ſooner laid aſide. But not long after, within two or three years of *Gregory*'s death, by the Emperour *Phocas* (offended with *Cyriacus* the then Patriarch of *Conſtantinople*) as this title was taken from the *Conſtantinopolitan*, ſo was it inoffenſively applied to the *Roman*, See: (Yet without the attribution or acceſs of any authority to that See, which cannot be ſhewed to have bin formerly practiſed by it,) as alſo this title had bin aforetime in the Council of *Chalcedon* given that Biſhop, without any contradiction of thoſe Fathers. See *Concil. Chalced. Act.* 3. Thus much concerning the Title of *Oecumenicus*, or *Univerſalis*.

§. 27. In the laſt place; for the anciently-great authority of the *Roman* Biſhop, ſee the Epiſtles of *Gregory* the Great: who, tho with *Pelagius* his Predeceſſors he much diſrelliſhed the name of *Univerſal* Biſhop or Paſtor, yet it appears out of theſe, that he both claimed and exerciſed ſuch an univerſal ſuperiority and juriſdiction over other both Biſhops and Patriarchs, as the Reformed will by no means approve. and (as we may gather by his words, 4. *l.* 37. *Ep.*) thought a vindication of his juſt authority well conſiſtent with true humility. There he ſaith; —*Dum Prædicator egregius dicat*, Miniſterium meum honorificabo, (*Rom.* 11. 13.) *qui rurſus alias dicens*, —facti ſumus parvuli in medio veſtrum, (1 *Theſ.* 2. 7.) *exemplum proculdubio nobis ſe ſequentibus oſtendit*;

oſtendit; ut & humilitatem teneamus in mente, & tamen ordinis noſtri dignitatem ſervemus in honore: quatenus nec in nobis humilitas timida, nec erectio ſit ſuperba. This premiſed, ſee what follows in the ſame Epiſtle: —*Johannes Conſtantinopolitanus in Conſtantinopolitana urbe— Synodum fecit, in qua ſe Univerſalem appellare conatus eſt; quod mox idem Deceſſor meus* [*i.e.* Pelagius] *ut agnovit, directis literis, ex authoritate Sancti Petri Apoſtoli, ejuſdem Synodi acta caſſavit.* —*Cujus ego quoque ſententiam ſequens, ſimilia prædicto conſacerdoti noſtro ſcripta tranſmiſi.* And 2. *l.* 10. *Indict.* 37. *Ep. Epiſcopo Salonitano*, [an *African* Biſhop:] —*Quod autem vos fatemini Eccleſiaſticos ordines ignorare non poſſe— valde contriſtor, quia cum rerum ordinem ſcitis, in me (quod pejus eſt) ſciendo deliquiſtis. Poſtquam enim ad Beatitudinem veſtram, & Deceſſoris mei & mea, in cauſa Honorati* Archidiaconi, *ſcripta directa ſunt, tunc contempta utriuſque ſententia, præfatus Honoratus proprio gradu privatus eſt.* [Whoſe cauſe, tho only an Archdeacon, upon appeal *Gregory* having heard, cleared him, and ordered him to be reſtored to his place.] *Quod ſi quilibet ex quatuor Patriarchis feciſſet, ſine graviſſimo ſcandalo, tanta contumacia tranſire nullo modo potuiſſet. Tamen poſtquam fraternitas veſtra ad ſuum ordinem rediit, nec ego meæ, nec deceſſoris mei injuriæ memor ſum.* [By which it ſeems *Gregory*'s orders at laſt were obeyed.] And 2. *l. Indict.* 11. *Ep.* 32. to the ſame Archdeacon *Honoratus*, he writes thus. —*A cunctis tibi objectis capitulis te plenius abſolventes, in tui te ordinis gradu ſine aliqua volumus alteratione permanere, ut nihil tibi penitus mota a præfato viro* [*i.e.* Epiſcopo *Salonitano*] *quæſtio qualibet occaſione præjudicet.*— 11. *l. Ep.* 42. *Epiſcopo Panormitano*, [in *Sicily.*] —*Illud autem admonemus, ut Apoſtolicæ Sedis reverentia nullius præſumptione turbetur; tunc enim ſtatus membrorum integer manet, ſi*

caput fidei [this must needs be *Apostolicam sedem*] *nulla pulset injuria, & canonum manet incolumis authoritas.— l. 7. epist. 64. Episcopo Syracusano——Nam quod se dicit* [*i. e. Primas Byzancenus*, an *African* Primate, of whom *Gregory* saith a little before, that *in quodam crimine accusatum, piissimus Imperator eum, juxta statuta canonica, per nos voluit judicari*] *Sedi Apostolicæ subjici; si qua culpa in Episcopis invenitur, nescio quis ei Episcopus subjectus non sit; cum vero culpa non exigit, omnes secundum rationem humilitatis æquales sunt.*

§ 28 [*Nescio quis ei Episcopus subjectus non sit: i. e.* saith Dr. *Field* (*l. 5. c. 34. p. 534.*) of those Bishops only within his own Patriarchship, alledging *Greg. Epist.* 54, 11; where *Gregory* quotes, and seems to acquiesce in, the the Emperor *Justinian*'s Constitution, *Novel.* 123. *c.* 22. *Si autem & a Clerico aut Laico quocunque aditio contra Episcopum fiat, propter quamlibet causam, apud sanctissimum ejus Metropolitanum secundum sanctas regulas & nostras leges causa judicetur. Et si quis judicatis contradixerit ad beatissimum Archiepiscopum & Patriarcham referatur causa, & Ille secundum canones & leges huic præbeat finem,* [I may add out of the *Nov.* it self], *nulla parte ejus sententiæ contradicere valente.* Whence, thus much is yeilded to Dr. *Field*; That the Bishops of his own Patriarchy have some subjection to the Bishop of *Rome*, and his Courts, as he bears the Office of a Patriarch over them, which others of another Patriarchate have not. And therefore we see his Letters, most frequently directed to the Bishops, and negotiating the affairs Ecclesiastical, within this Circuit; which Bishops (as the Doctor rightly notes) he calls *Episcopos suos l. 4. c. 34.* To the Empress [*sed ut Episcopi mei me despiciant, &c. id peccatis meis deputo.*] But yet this I suppose is yeilded by the

the Doctor (ſee before § 20.) that both the Biſhops of other Patriarchies, and the Patriarchs themſelves, in ſome caſes alſo (but not in all wherein the reſt) were ſubjected to the judgment and ſentence of the firſt See. And in ſuch ſenſe might he ſay; *Neſcio quis Epiſcopus &c.* As for the place of *Gregory* and the Imperial Conſtitution urg'd:

Firſt, concerning *Gregory* obſerve, that he writ this to the Emperor's Prefect, in the behalf of one *Stephanus* a Biſhop, *qui invitus ad judicium trahebatur; & qui ab Epiſcopis alieni Concilii* [*i.e.* who were not his proper Superiors, but of a diſtinct Province from him] *quos habebat ſuſpectos, judicabatur.* In his behalf therefore *Gregory* quotes this Imperial Conſtitution; where *Patriarcha præbeat finem* is oppos'd by *Gregory* (as likewiſe by *Juſtinian*) to *Epiſcopi alieni Concilii*, or alſo to any Civil Judges medling therein: who (according to *Novell.* 123. *c.* 21.) might not hear Eccleſiaſtical Cauſes at all. [the words are theſe, *Si autem Eccleſiaſtica cauſa eſt, nullam communionem habeant judices civiles circa talem examinationem, ſed ſanctiſſimus Epiſcopus ſecundum ſacras regulas cauſæ finem imponat.* To which effect ſee the Conſtitution quoted in the beginning of *Gregory's* Epiſtle [*Si quis contra aliquem Clericum*, &c.] After which Conſtitution urg'd, *Gregory* goes on thus; *Contra hæc ſi dictum fuerit, quia nec Metropolitanum habuit, nec Patriarcham* [take Patriarch here in what ſenſe you pleaſe] *dicendum eſt, quia a Sede Apoſtolica, quæ omnium Eccleſiarum caput eſt,* [this is his reaſon for it] *cauſa hæc audienda ac dirimenda fuerat, ſicut & prædictus Epiſcopus petiiſſe dignoſcitur, qui Epiſcopos alieni Concilii judices habuit omnino ſuſpectos.*

Secondly, For the Imperial Conſtitutions of *Juſtinian*, they, ſo far as they concern Eccleſiaſtical matters,

are only Ratifications of the Church's Canons, and no way oppoſite to them; who every where commands proceedings and judgments to be made *ſecundum ſacras regulas*, and in the beginning of his *Codex*, to ſhew his ſubmiſſion in theſe things to the Church (*tit.* 1. *l.* 8.) writes thus to the Pope in particular; *Nec enim patiemur quicquid, quod ad Eccleſiarum ſtatum pertinet, quamvis manifeſtum & indubitatum ſit quod movetur, ut non etiam veſtræ innoteſcat ſanctitati, quæ caput eſt omnium ſanctarum Eccleſiarum.* To whom alſo when the Emperor ſent his Creed, *Agapetus* the Pope anſwer'd *Firmamus*, &c. *non quia Laicis authoritatem prædicationis admittimus, ſed quia ſtudium fidei veſtræ patrum noſtrorum regulis conveniens confirmamus atque roboramus.* (*Agapet. Ep.* 6.) Now if you examine thoſe Conſtitutions (*Novell.* 123. *c.* 22.) they are only theſe: That two Biſhops, *ejuſdem Concilii*, under the ſame Metropolitan, being at variance, are referr'd to the judgment of their Metropolitan and the Council Provincial. If this refuſed; then to that of the *Patriarcha Diœceſeos illius, nulla parte ejus ſententiæ contradicere valente.* The ſame courſe is appointed, if a Clergy-man have any thing againſt his Biſhop; or Biſhop, or inferior Clergy-man, againſt his Metropolitan: But in the differences between a Biſhop and his Patriarch, or alſo between two Patriarchs, he ordereth nothing. Now what thing is there, in all this, prejudicial to the formerly-aſſerted authority of the *Roman* Biſhop? For (1.) by theſe within the compaſs of his own Patriarchate he is the ſupreme and final Judg, upon all Appeals, as well of other Clergy, as of Biſhops; and (2.) ſo is he alſo of all other Biſhops and Metropolitans, whoſoever are not ſubjected to any other Patriarch; and (3.) alſo in other Patriarchates, where greater conteſts happen between them and their Biſhops,

or

or with one another; here alſo he intereſts his power (ſee before § 20. and 26.) for any thing in theſe Imperial decrees expreſſed to the contrary. Nay further, (4.) he, as *Caput omnium ſanctarum Eccleſiarum* (to uſe *Juſtinian*'s ſtile) where he judgeth other Patriarchs to neglect their duty, or ſees them overborn in hereſy, or other matters of great concernment, for the peace and ſafety of the Church; he, I ſay, as appears by many inſtances above, hath exerciſed authority alſo over the inferior Clergy of other Patriarchats. as he did in the degradation of *Eutyches* a *Conſtantinopolitan* Prerbyter, (ſee before § 25. *n.* 2.) an act approved by the ſame Council of *Chalcedon*, that in their 9*th.* Canon referred the final deciſion of the ordinary controverſies of any Province to their own Biſhops, or Patriarch.

§ 29.

Pardon this Digreſſion: Now to go on with the obſervations out of *Gregory*'s writings.] 5 *l.* 24. *Ep.* where the Biſhop of *Ravenna* telling S. *Gregory*, that ſome ſaid he had no Canonical authority to judge the difference between the ſaid Biſhop of *Ravenna*, and a certain Abbot who had appealed to *Gregory*: he ſaith, —*Nunquid non ipſe noſti, quia in cauſa, quæ a Johanne Presbytero contra Johannem Conſtantinopolitanum fratrem & coepiſcopum noſtrum orta eſt, ſecundum Canones ad Sedem Apoſtolicam recurrit, & noſtra eſt ſententia definita. Si ergo de illa Civitate, ubi Princeps eſt*, [i. e. *Conſtantinople*, where the Emperour then reſided] *ad noſtram cauſa cognitionem deducta eſt, quanto magis negotium quod contra nos eſt* [done within our own Patriarchat againſt our authority,] *hic eſt, veritate cognita, terminandum.*——

See Ep. 63. to the ſame *Sicilian* Biſhop: where anſwering to ſome objecting, *Quomodo Eccleſiam Conſtantinopolitanam diſpoſuit comprimere* [i.e. *Gregory*,] *qui ejus con-*

consuetudines [i.e. *in ordinatione Missæ*] *per omnia sequitur?* he, denying that the Church of *Rome* followed the customs of the *Greeks*, replies thus: —*Unde habent* [i.e. Græci] *ergo hodie, ut Subdiaconi lineis in tunicis procedant, nisi quia hoc a Matre sua Romana Ecclesia perceperunt?* And, —*Nam de Constantinopolitana Ecclesia, quod dicunt; Quis eam dubitet Sedi Apostolicæ esse subjectam, quod & Dominus piissimus Imperator, & frater noster Eusebius* [I conceive it should be *Cyriacus*, who, at the first especially, was very compliant with *Rome*, (see *Greg. Ep. 6. l.* 31. *Ep.* & 28. *Ep.*) for there was no *Eusebius* Bishop of *Constantinople* in *Gregory*'s time,] *ejusdem Civitatis Episcopus, assidue profitentur.* And see (10 *l.* 31. Epistle) the form of submission (taken by *Gregory*'s Substitutes) of those who return'd to the unity of the Church, from the Schism which maintained the *tria Capitula* of the Council of *Chalcedon*, which were condemned in the 5*th* General Council. which submission was, —*Promitto tibi, & per te Sancto Petro Apostolorum Principi, atq; ejus Vicario, Beatissimo Gregorio, —semper me in unitate Sanctæ Ecclesiæ Catholicæ, & communione Romani Pontificis per omnia permansurum.*—

§ 30. *A Digression concerning the Patriarchship of* Ravenna *and* Justiniana 1a *urged by Dr.* Hammond.

And because Dr. *Hammond* (*schism 6.* c. p. 115. and 5. c. 8. §.) quotes, and much stands upon, the Patriarchship of *Ravenna* erected to this dignity (as he saith) by the Emperour *Valentinian*, and of *Justiniana* 1a, and of *Carthage* erected by the Emperour *Justinian*; the one being his native soil, the other recovered by him from the *Vandals*; erected, as utterly independent on the *Roman* Patriarch, (tho Dr. *Field* grants all these places to have bin contained under his Patriarchy, 38. *c. p.* 560.) and this without any contradiction from the said Patriarch; upon which instances chiefly he there builds his

this position, [*That it is, and hath always bin in the power of Christian Emperors and Princes, within their Dominions to erect, or translate Patriarchates*]: I will also set you down some passages in these Epistles of *Gregory*, (one who lived after, and not long after, these Emperours,) which shew these Primats to have had still dependance (as others) on the *Roman* See; and, either not to have had conferr'd on them at all, or at least not to have enjoyed, with that Church's consent, those priviledges he pretends. 1. For the Bishop of *Ravenna*, see *Gregory*'s Epistle (*2. l.* 54. *Ep.*) to *John* 3d. Bishop of *Ravenna*, (the same that, as Dr. *Hammond* saith (*Answ. to* S. *disarm'd*, p. 156.) stood much upon his special rights in opposition to the *Roman* See,) where, *Gregory* reprehending him for an unseasonable using of the Pall, hath these words: —*Quod bene hanc consuetudinem generalis Ecclesiæ* [contrary to what he used] *noveritis, vestris nobis manifestissime significastis Epistolis; quibus Præceptum beatæ memoriæ Decessoris nostri Johannis Papæ nobis subditis, transmisistis annexum, continens omnes consuetudines ex privilegio Prædecessorum nostrorum concessas vobis Ecclesiæque vestræ, debere servari.* [The Priviledges of *Ravenna* therefore, whatever they were, are, in this contest, pretended by the Bishop thereof, to be received (not from the Emperour, or not from him singly, but) from the See Apostolick, contrary to what Dr. *Hammond* affirms, p. 156. and this only is pleaded by *John* Bishop of *Ravenna*; That the priviledges granted to his See by former *Roman* Bishops could not be annull'd by *Gregory* the present. But such priviledges were denied by *Gregory* to have bin formerly conceded to Him by his Predecessors; hence he proceeds thus afterward, in the same Epistle. —*Aut mos omnium Metropolitanorum est a sua fraternitate servandus; aut si tuæ Ecclesiæ aliquid specialiter dicis esse* con- 1.

conceſſum præceptumve a prioribus Romanæ *Urbis Pontificibus; quod hæc* Ravennati *Eccleſiæ ſint conceſſa, a vobis oportet oſtendi.*– And to the ſame Biſhop about another thing amiſs, (4.*l.*1.*Ep.*) he writes in this ſtile: —*Proinde Fraternitas tua hoc, quolibet in loco factum ſit, emendare feſtinet; quia ego nullo modo patiar, ut loca ſacra per Clericorum ambitum deſtruantur. Vos itaque ita agite, ut mihi hac de re correctam cauſam ſub celeritate nuntietis.*– See 5.*l.*8.*Ep.* his ſending the Pall to *Maximinianus* Biſhop of *Ravenna*, and confirming his privileges. In which Epiſtle, urged by *S. W.* Dr. *Hammond* (*Anſw. to Schiſm diſarm'd*, p.151.) will have theſe words [*omnia Privilegia quæ tuæ pridem conceſſa eſſe conſtat Eccleſiæ, noſtra authoritate firmamus, & illibata decernimus permanere*] well to conſiſt with the independency of that Church, for ſuch priviledges, on the See of *Rome*; and with the Emperor's conferring theſe priviledges to all ſucceſſion, without any joint authority of the Pope; and, bringing in [*provocatus antiquæ conſuetudinis ordine*] without mentioning the words immediately before, [*Apoſtolicæ Sedis benevolentia atque antiquæ conſuetudinis ordine provocatus,*] he makes theſe words refer not to the Popes, but to the Emperor's former grant. But meanwhile judge you, if the Emperour might of his own accord erect Patriarchies, or confer ſuch priviledges without the Biſhop of *Rome's* authority; whether [*authoritate noſtra firmamus, & illibata decernimus* &c, and *Apoſtolicæ Sedis benevolentia*] be not, not only needleſs, but alſo ridiculous. But if the Patriarch of the Weſt's [*authoritate noſtra firmamus*] was neceſſary to what the Emperour did, then are all ſuch inſtances rendred uſeleſs to the Doctor, who can ſhew no ſuch [*firmamus*] to the late erected Patriarchats. And, were not ſuch teſtimonies extant, yet the reſcript of the ſame Emperour *Valentinian*

lentinian (quoted before p 86.) ſeems a ſufficient proof, that no ſuch priviledges, as were prejudicial to the *Roman* See, were granted by him. 2. For the 2.
Biſhop of *Juſtiniana* 1ª; that he continued to receive the Pall, as other Primats, from the Biſhop of *Rome*; and that he had *locum Apoſtolicæ Sedis*, not the place of a, but of the, Apoſtolick See; namely, as the Pope's ſtanding delegate for thoſe parts ſubordinate to him; (the phraſe being frequently uſed in this, but I think never in the other, ſence): laſtly, that the Biſhop of *Rome* deputed the judgment of cauſes to him, and, for ſome misbehaviour in his place, paſſed Eccleſiaſtical cenſures upon him; I ſay for theſe things ſee 4. *l. Indict.* 13. *Ep.* 15. *Johanni Epiſcopo* 1æ *Juſtinianæ* newly elected: —*Pallium vero ex more tranſmiſimus, & vices vos Apoſtolicæ Sedis agere, iterata innovatione, decernimus. Iterata innovatione*; which argues the firſt conceſſion, that he ſhould have *locum Apoſtolicæ Sedis*, was from the *Roman* Biſhop; which *Baronius* (*Anno* 535.) ſaith, *Juſtinian*, with much importunity, obtained of *Vigilius:* after *Agapetus* his Predeceſſor had made a demur to grant it, as being a thing too prejudicial to his Neighbour-Metropolitans. And ſee 10. *l.* 5. *Indict.* 34. *Ep.* where he refers the cauſe of *Paulus* Biſhop of *Dyaclina* to the examination of the Biſhop of *Juſtiniana* 1ª. And ſee 2. *l. Indict.* 11. *Ep.* 6. to the ſame Biſhop, where reprehending him for a ſingular act of injuſtice, he ſaith, —*Quod vero ad præſens attinet, caſſatis prius atque ad nihilum redactis prædictæ ſententiæ tuæ decretis; ex Beati Apoſtolorum Principis authoritate decernimus, triginta dierum ſpatio ſacra te communione privatum, ab omnipotenti Deo noſtro tanti exceſſus veniam cum ſumma pœnitentia at lachrymis exorare.*— —*Quod ſi* &c—; *contumaciam fraternitatis tuæ cognoſcas adjuvante Deo ſeverius puniendam.*— After theſe ſee

Justinianan's Constitution it self, (*Novell.* 131. *cap.* 3.) which runs thus. —*Per tempus autem Beatissimum* 1*æ Justinianæ Archiepiscopum habere semper sub sua jurisdictione Episcopos Provinciarum Daciæ* &c. —*& in subjectis sibi Provinciis locum obtinere Sedis Apostolicæ Romæ, secundum ea quæ definita sunt a sanctissimo Papa Vigilio.*— Which last words, how reasonably Dr. *Hammond* (*Reply to Cath. Gentl.* p.96.) interprets, that *Vigilius* defin'd, that the Bishop of *Justin.* 1ª should be, for ever after, an absolute and free Patriarch, independent on the Bishop of *Rome*; or why the Emperour should require such a definition from *Vigilius*, who (as the Doctor holds) had no right to hinder it, I leave to your judgment, after that you have well considered what is here alledged. And see likewise this confessed by Dr *Field*, 5.*l*.38.c.p.561. 'The same may be said of the Bishop of *Justiniana* the 'first; who was appointed the Bishop of *Rome's* Vice-'gerent in those parts, upon signification of the Empe-'rour's will and desire that it should be so. Thus he. And hence was this power conferred upon him finally to determine causes, namely as the Pope's Delegate for that purpose; and this exclusively, not to *Rome*, but to other Metropolitans within those Provinces newly subjected to him; from whom to him, not so from him to
3. them, might be Appeals. 3. As for the third Primate, of *Carthage*, he is pretended only to be admitted to the like priviledges with *Justiniana* 1ª.

§ 31. *n*.1. Thus have I set you down (to save you the pains, or to prevent the usual neglect, of searching them in the Authors) some of the most notable passages for the first 600 years, (wherein you may find *Calvin*'s confession (*Instit.* 4.*l*.7.c.) true, *nullum fuisse tempus, quo non Romana Sedes imperium in alias Ecclesias appetiv.rit*, but,

I add more, *obtinuerit*, too,) ſhewing (as I think) ſeveral ways, not only the honour and dignity, before, but the authority and power of the *Roman* See, over, other Churches, not only thoſe under its Patriarchy, but the Eaſtern alſo: the Eaſtern, not only ſingle, but joined in Councils; *power*, not only which Roman Biſhops claimed, but which Councils allowed, teſtified, confirmed, and eſtabliſhed; and the greateſt Biſhops in the world repaired to for juſtice; the moſt of thoſe Roman Biſhops, whoſe authorities I have cited, being eminent for ſanctity, and having the ſame title and reputation of Saints, as the other ancient Fathers: and the two laſt of them being quoted by Proteſtants, as inveighers againſt an Univerſal Biſhop as a forerunner of Antichriſt, (that you may ſee how much authority even the moſt moderate have aſſumed). and all theſe tranſactions being before the times of the Emperour *Phocas*; who by ſome Reformed (ſee Dr. *Hammond, reply to Cathol. Gentl.* 3. c. 4. s. 14. *n.*) is ſaid to have laid the firſt foundations of the modern Roman Greatneſs, in declaring him *Epiſcopum Oecumenicum & Caput omnium Eccleſiarum*, (tho indeed *Phocas* his act was only (in a quarrel of his againſt *Cyriacus* Biſhop of *Conſtantinople*) adjudging the ſtile of *Oecumenicus*, before much diſputed between thoſe two Biſhops, as you have ſeen, not fit to be uſed by the Biſhop of *Conſtantinople*, and due only to the Biſhop of *Rome*). and that *Paulus Diaconus* (*de geſtis Romanorum*, 18. *l.* quoted by Dr. *Hammond*) meant no more; ſee what the ſame *Paulus* ſaith (*de geſtis Longobardorum* 4 *l.* 37. c.): and being of thoſe ages, wherein Dr. *Field*, thro his 5*th* book, denies to have bin any *Roman* Supremacy of power. If it be ſaid that the *Roman* Biſhops, out of whoſe writings many of theſe authorities are produced, then claimed what others denied; I

think ſome other quotations (intermingled) out of thoſe who were no *Roman* Biſhops will ſhew this to be untrue.

§. 31. n. 2. *In the chief cauſes of all other diviſions from the* Roman *Church* (*excepting that of the late* Reformation) *the* Roman *Church* (*in the judgment of the* Reformed) *the more Orthodox.*

Beſides, my chief intention here was not to declare, *quo jure* ſuch juriſdiction was either claim'd, or yeilded to; but that *de facto* that power was ſo long ago aſſum'd, which being now challeng'd, is by our men deny'd; and (I may add) aſſum'd with good ſucceſs to the Church of God during thoſe firſt Ages. The Biſhops of *Rome* having patroniz'd no Hereſies at all, as all the other Patriarchs, at ſome time or other, did. Such were in the See of *Conſtantinople*, *Macedonius*, *Neſtorius*, *Sergius*, Arch-hereticks: in *Alexandria*, *Dioſcorus*, the grand Patron of the *Eutychians*: in *Antioch*, *Paulus Samoſatenus*, the Father of the *Paulianiſts*, *&c.* All which Hereſies, and ſeveral other, which took root in the Eaſt, were ſuppreſſed, and the Unity and Uniformity of the Church's Doctrine and Diſcipline preſerved, by the over-ruling power, the threats, the cenſures, of this See; as any, not over-partial, Reader of the Eccleſiaſtical Hiſtory, will eaſily diſcern. And perhaps I may venture a little further; That to this day, in the chief point and occaſion of breach, for which any other Church beſides the Reform'd, ſtands divided from the *Roman* Communion, the Reformed do juſtifie the *Roman* tenent againſt thoſe Churches. The chief matter of the diviſion of the *Greek* Church from the *Roman* was beſides that of the Biſhop of *Conſtantinople's* uſing the ſtile of *Oecumenicus*, and the *proceſſion of the Holy Ghoſt*; as appears by the diſputation in the Council of *Florence* (where both Churches (the Eaſtern now falling into ſome diſtreſs) heartily ſought for an accord) almoſt wholly ſpent about this point. Now in this article the Re-

Reform'd do ſide with the Roman Church; and, ſo far alſo as we allow of any ſuperiority, we adjudge the prime place not to the *Conſtantinopolitan*, but the *Roman* Patriarch. The chief Doctrine, for which the other Orientals (as the *Aſſyrian* Churches, the *Jacobites*, *Armenians*, *Cophti*, *Æthiopians*, *Maronites*, *&c.* of which ſee *Field l.* 3. *c.* 1, *&c.*) ſtand ſeparate from *Rome*, whilſt their publick Service and Liturgies much-what accord with the *Greek*, or *Roman*, is either *Neſtorianiſm*, or *Eutychianiſm*, or *Monothelitiſm*, imputed unto them; in which alſo the Reformed adhere, againſt them, to the *Roman* judgment. The like may be ſaid in the ancienter controverſies of the *Roman* Church with the *Aſian* Churches, about *Eaſter*; and with the *African*, and ſome of the *Aſian*, about Rebaptization. Thus in the main cauſes of differences with the Eaſtern Churches, the Reform'd will grant, *Rome* to have continued orthodox, and that had the other been bound effectually to have received their laws in theſe controverſies from her, they had been better guided; or at leaſt, that, for thoſe 600 years, ſhe happily moderated the great Queſtions of the Church by her ſupereminent authority. But if it be ſaid again; That the Biſhops of *Rome* now claim much more power, than the inſtances above ſhew them anciently to have uſed; I deſire to know firſt, before this be examin'd, whether we will grant them ſo much; for whilſt we complain, that they now a-days claim more than is due to them, is it not ſo, that we deny them not the more, but all? And have they done well, who have uſed the Biſhops ſo, who have uſed Kings ſo, upon pretence of their exerciſing an illegal power?

And

§ 32. *By the instances above, judgment may be made of the sense of many other (controverted) Sayings of the Fathers.*

And now by what hath pass'd, we may the better judge of the meaning (notwithstanding whatever other glosses are made upon them) of those places of the ancient Fathers, which are quoted before § 6. To which I will here add that which follows, in *Irenæus*, *l.* 3. *c.* 3. who speaks there, how Hereticks may be easily confounded by the unity of the Tradition of Apostolical Doctrine. —*Ad hanc enim Ecclesiam* [*i. e.* a duobus Apostolis Petro & Paulo Romæ fundatam] *propter potentiorem principalitatem, necesse est omnem convenire Ecclesiam, hoc est, eos qui sunt undique fideles; in qua semper ab his, qui sunt undique fideles, conservata est ea, quæ ab Apostolis est traditio. In qua, i. e. in unione & adhæsione ad quam,* Apostolical Tradition is more certainly preserv'd in all other Churches. Let therefore [*potentiorem principalitatem*] (if so you can make any sense) be referr'd (as it is by the Reform'd) to the Roman Empire, not Church; yet the certain conservation of Tradition Apostolical, which is the Father's reason of other Churches repairing and conforming to this, that cannot be apply'd but only to the Church, not as seated in the Imperial City, but as founded by the two most glorious Apostles *Peter* and *Paul*. Of which Church *Tertullian* (*de præscript. Hæreticorum*) also saith,—*Ista quam felix Ecclesia cui totam doctrinam Apostoli cum sanguine suo profuderunt.* And, after him, thus *Cyprian* in his *Ep.* 45. to *Cornelius* Bishop of *Rome* (not to urge any of those passages in his Book *de Unit. Eccl. Cath.* which perhaps seem capable of the exposition which the Reformed give them)—*Nos singulis navigantibus* [*i. e.* from *Affrick* into *Italy*] *rationem reddentes, scimus nos hortatos eos esse, ut Ecclesiæ Catholicæ radicem & matricem* [*i. e.* Ecclesiam Romanam] *agnoscerent & tenerent.*—And after-

terward,—*Ne in urbe* [in Rome] *ſchiſma factum, animos abſentium* [*i. e.* of thoſe in Africk] *incerta opinione confunderet* [which party they ſhould adhere to] *placuit, ut per Epiſcopos iſtic poſitos* [African Biſhops reſiding at Rome] *literæ fierent* [to the African Provinces] *ut te, univerſi collegæ noſtri, & communicationem tuam, id eſt, Catholicæ Eccleſiæ unitatem pariter, ac charitatem, probarent firmiter ac tenerent.* And *Epiſt.* 52. *Antoniano Fratri* [a Biſhop not communicating with *Novatianus*]–*Scripſiſti etiam ut exemplum earundum literarum ad Cornelium* [the Biſhop of *Rome*] *Collegam noſtrum tranſmitterem, ut depoſitum omni ſolicitudine jam ſciret te ſecum, hoc eſt, cum Catholica Eccleſia, communicare.* (The like expreſſions to which we find in *Ambroſe, Orat. in Satyr.* where he ſaith of his Brother *Satyrus,* about to receive the Communion, that *percunctatus eſt Epiſcopum, ſi cum Epiſcopis Catholicis, hoc eſt, ſi cum Romana Eccleſia, conveniret*)—And thus *Cyprian* again, in his *Epiſt.* 55. *ad Cornelium de Fortunato & Fælicisſimo hæreticis* [who condemn'd in Africk, appeal'd to Rome.] *Poſt iſta adhuc inſuper navigare audent ; & ad Petri Cathedram atque ad Eccleſiam principalem, unde unitas ſacerdotalis exorta eſt, a ſchiſmaticis* [Fortunato &c.] *literas ferre ; nec cogitare eos* [*i. e.* tales] *eſſe Romanos (quorum fides, Apoſtolo prædicante, laudata eſt) ad quos perfidia habere non poſſit acceſſum.* Add to theſe, in the 46th Epiſtle, the confeſſion of thoſe who return'd to *Cornelius* from the Schiſm of *Novatianus,* made in this form ;–*Nos Cornelium Epiſcopum ſanctiſſimæ Catholicæ Eccleſiæ, electum—a Chriſto Domino noſtro ſcimus,* &c. concluding, *Nec enim ignoramus unum Deum eſſe, unum Chriſtum, unum Spiritum Sanctum, unum Epiſcopum in Catholica Eccleſia eſſe debere. Unum,* i. e. I ſuppoſe *unum* ſupereminent in power to the reſt, the better to preſerve the Church's Unity.

Laſtly,

§ 33. Laſtly; The paſſages of thoſe Ancients who were in ſome difference with the Biſhop of *Rome*, which upbraid him for challenging ſuch power, ſeem to me good arguments, that ſuch power and authority, over other Churches and Biſhops, was then ſo early aſſum'd by him. So *Tertullian* (*de Pudicitia c.*21.) living in the beginning of the third Age, when now a *Montaniſt*, and rigidly oppoſing the Abſolution, and reſtitution to the Church, of lapſed Chriſtians, tho penitents (which thing was practis'd by the Biſhop of *Rome*), mentions there in Irony his Titles of *Pontifex Maximus*, and *Epiſcopus Epiſcoporum*; and thus expoſtulates with him,—*Unde hoc jus Eccleſiæ* [*i. e.* of abſolving ſuch ſinners] *uſurpas? Si quia dixerit Petro Dominus; ſuper hanc Petram ædificabo Eccleſiam meam: Tibi dedi claves regni Cœlorum; vel quæcunque alligaveris* &c. *Qualis es! evertens atque commutans manifeſtam Domini intentionem perſonaliter hoc Petro conferentem* &c. [But note, that *Tertullian* here in the Proteſtants judgment errs, abſolution of ſinners penitent being not perſonal to *Peter*, or the Apoſtles, but common, not only to the *Roman* Biſhop, but all the ſucceſſive Clergy, for ever.]— So *Firmilianus* Biſhop of *Cæſarea Cappadociæ* in his Epiſtle to St. *Cyprian* (the 75th amongſt *Cyprian's*) when very paſſionate in the matter of Rebaptizing thoſe formerly Baptiz'd only by Hereticks, and (as it ſeems by *Euſ. Ec. Hiſt. l.*7. *c.*4.) either puniſh'd or threaten'd with Excommunication by *Stephen* Biſhop of *Rome* for it, and alſo being his oppoſite in the controverſie about *Eaſter*, thus inveighs againſt him; —*Ego in hac parte juſte indignor—quod qui ſic de Epiſcopatus ſui loco gloriatur & ſe ſucceſſionem Petri tenere contendit, ſuper quem fundamenta Eccleſiæ collocata ſunt, multas alias Petras inducat, & Eccleſiarum multarum nova ædificia conſtituat, dum eſſe illic* [*i.e.* Heretical Churches] *baptiſma*

ſua

ſua authoritate defendit—Stephanus, qui per ſucceſſionem Cathedram Petri habere ſe prædicat, nullo adverſus hæreticos zelo excitatur &c. [*i.e.* in diſallowing and nulling their Baptiſm.] —*Eos autem qui Romæ ſunt non ea in omnibus obſervare, quæ ſint ab origine tradita; & fruſtra Apoſtolorum authoritatem prætendere, ſcire quis etiam inde poteſt* &c.— where he blames their keeping of Eaſter differently from others in the *Aſian* Churches. —*Qui gloriatur, qui prædicat, qui prætendit*: therefore ſuch titles, and ſuch gloriation there was; and ſuch authority challenged by the *Roman* Biſhops (which he calls in that Epiſtle [*ruptio pacis*]) long before the *Nicen* Council; and the judgments, and the pretended Apoſtolical traditions of theſe Biſhops, tho by theſe miſtaken men cenſured and oppoſed, yet by the orthodox followed and embraced.

As for the two places urged out of S. *Cyprian* againſt § 34.
the acknowledgment of any ſuch power or ſuperiority of one Biſhop over another; and conſequently of the Biſhop of *Rome*; the one out of the Council of *Carthage* (in his works,) wherein, being Preſident, he ſaith, —*Neminem judicantes, aut a jure communionis aliquem, ſi diverſum ſenſerit, amoventes. Neque enim quiſquam noſtrum Epiſcopum ſe eſſe Epiſcoporum conſtituit, aut tyranni-co terrrore ad obſequendi neceſſitatem Collegas ſuos adigit; quando habeat omnis Epiſcopus pro licentia libertatis & poteſtatis ſuæ arbitrium proprium; tamque judicari ab alio non poſſit, quam nec ipſe poteſt judicare. Sed expectemus univerſi judicium Domini noſtri Jeſu Chriſti, qui unus & ſolus habet Poteſtatem—de actu noſtro judicandi.* —And the other, in the cloſe of his and the Councils Epiſtle to *Steph'n*, (Epiſtle 72.) where he ſaith: —*Hæc ad conſcientiam tuam Frater Chariſſime* [i.e. *Stephane*]—*pertulimus*;

credentes etiam tibi, pro religionis tuæ & fidei veritate, placere, quæ & religiosa pariter & vera sunt. Cæterum scimus quosdam, quod semel imbiberint, nolle disponere, nec propositum suum facile mutare; sed salvo inter collegas pacis & concordiæ vinculo, quædam propria retinere. Qua in re nec nos vim cuiquam facimus, aut legem damus; cum habeat in Ecclesiæ administratione voluntatis suæ arbitrium liberum unusquisque Præpositus [or Bishop,] *rationem actus sui Domino redditurus.*— In the first of these places, the Father speaks of all Bishops having their free votes in the Council; none lording it over the rest, nor they to give account of such vote, save to God alone. This seems clear from the words immediately preceding: —*Superest ut de hac ipsa re singuli quid sentiamus proferamus, neminem judicantes* &c. [which words they are pleased not to mention with the rest.] In the second, he only saith of himself and the Council, That they did not *vim facere*, nor *legem dare cuiquam Collegarum.* By which colleagues, he means not *Stephen* the Bishop of *Rome*, or any foreign, but only some *African*, Bishops: who, having no such former custom of rebaptizing any, dissented from that Council's judgment; as may be collected both from the words preceding here—*credimus tibi placere*, and from the former Epistle 71. to *Quintus*, where he saith, *Nescio qua præsumptione ducuntur quidam de collegis nostris, ut putent eos qui apud hæreticos tincti sunt, quando ad nos venerint baptizari non oportere*, [this being spoken of his collegues] *Et qui hoc illis patrocinium de authoritate sua præstat, cedit illis & consentit* &c. [this being spoken of *Stephen*, who countenanced his *African* collegues.] But be these collegues whom they please; of them I ask, Were they subordinate and subject to this Council, or not? If they were; then [*legem non damus*] must not be made equivalent to [*non licet dare.*]

And

And, in doubtful matters (as this muſt needs be on *Cyprian's* ſide, going againſt the former general practice of the Church except that of his Predeceſſors) tis many times great prudence *legem non dare*, where there is a legiſlative power: or if they were not ſubordinate; then indeed, *non licuit legem illis dare*. But this rule [*non licet* &c.] cannot be extended to other Governors, where there is a ſubordination of others to them. Now, as there are Biſhops and Councils coequal, who therefore may not give the law to one another, (as the Biſhop of one Dioceſs, or one Provincial Council, cannot regulate another); ſo there are *Biſhops* and Councils ſuperior to others: as above an ordinary *Biſhop*, are Metropolitans, Primats, Patriarchs: above Councils Provincial, are Patrial, General. Therefore either S. *Cyprian's* words muſt not be ſo far extended, as to aſſert, That no one *Biſhop* nor Council hath any power over another, but all *Biſhops* left to their ſupreme liberty, only *rationem reddituri Domino* of their actions, (contrary to the univerſal practice of the Church; ſuch ſuperior Councils ordinarily cenſuring, and alſo anathematizing *Biſhops*); or, in the judgment of the Reformed, who alſo maintain ſuch ſubordinations, S. *Cyprian* muſt be in an error. Now, in the vacancy of any General or Patriarchal Council, the Patriarch, at leaſt for his own Patriarchat, (as *Cyprian* was within the *Roman* Patriarchat,) is the ſupreme Judge, and therefore *Cyprian* not exempt from all ſubjection or ſubordination to Him. See for this Dr. *Field's* conceſſions, (before § 18.) *Supreme judge*; for the executing of the former Eccleſiaſtical Canons, and preſerving of the doctrines formerly eſtabliſhed, and determined by Councils. *Supreme Judge* thus, over Provincial, not only *Biſhops* but Councils, for from theſe may be made appeals to him; and a confirmation

of their decrees is fought for from him. See that of *Milevis* and of *Carthage* in S. *Auſtin*'s time, (before, § 23. *n.*4.) neither ought they to promulgate any doctrine not formerly determined by former Councils againſt his approbation and conſent. See before, § 22. (Therefore *Cyprian* might not make a contrary Decree to the Weſtern Patriarch, ſo as to neceſſitate thoſe under his Primacy to the obedience thereof, as neither he did.) But how far on the other ſide they ſtand obliged to conform to the judgment of him, or alſo of his Provincial Council, when defining any ſuch new point againſt theirs, (the caſe here between *Stephen* and *Cyprian*,) I determin not: Eſpecially conſidering the liberty *Cyprian* took to diſſent from *Stephen*, and conſidering, what *Bellarmin* (*de Concil. 2. l. 5. c.*) and before him S. *Auſtin*, grants, that by ſuch diſſent he ceaſed not to be a good Catholick; and conſidering alſo the liberty S. *Ambroſe* took, at leaſt, in a ritual, of practiſing contrary to the cuſtom of the *Roman* Church. See *de Sacram. l.*3 *.c.*1. *Non ignoramus quod Eccleſia Romana hanc conſuetudinem* [i.e. *de lotione Pedum*] *non habeat, cujus typum in omnibus ſequimur & formam. —In omnibus cupio ſequi Eccleſiam Romanam,* [*in omnibus*; that is, which I can reaſonably aſſent to,] *ſed tamen & nos homines ſenſum habemus: Ideo quod alibi rectius ſervatur, & nos recte cuſtodiamus, ipſum ſequimur Apoſtolum Petrum* &c. But neither is *Cyprian*'s authority, whatever he did in this matter, nor any decree of an *African* Council (as Dr. *Hammond Schiſm 6.c.* p.128. urgeth a canon of an *African* Council in *Anaſtaſius* his time, *A.D.* 401. (the 71. in *Balſamon*, the 35. in *Crab* and *Binnius*,) which imports thus much; That "laws made at *Rome* do not take away the liberty of "another National Church to make contrary laws thereunto;) a ſufficient argument clearly to decide this

this point; namely, that the *African* Churches, being subject to this Patriarch, might promulgate a Doctrine contrary to his judgment. For there is no more reason we should justifie *Cyprian's*, or an *African* Council's, authority against the Bishop of *Rome* and his Council, than this Bishop's and his Council's, against theirs; where if *Cyprian* for his person were a Martyr for Christ, so was *Stephen* too. Especially, when we find *Cyprian* so much erring in the matter of this controversie, whilst he saith, (*Epist.* 74.) *Pompeio—Qui* [Stephanus] *hæreticorum causam contra Ecclesiam Dei asserere conatur,*—— And when we consider the modest and safe grounds *Stephen* went upon [*Nihil innovetur nisi quod traditum est*] having the former custom of the Church on his side, to which St. *Cyprian* pleads, *Consuetudo sine veritate est vetustas erroris*; and (*Epist.* 71. *Quinto Fratri*), *Non est consuetudine perscribendum, sed ratione vincendum.* Whereas, in this contest, it had bin an happy thing for the Church, and had sav'd St. *Austin* many sheets against the *Donatists*, had he and his Council acquiesc'd in the judgment of their Patriarch. Thus much to those places objected out of *Cyprian.*

As for that pretended Canon of the *African* Council, I find the passages in *Binnius* (with whom the Dr. saith *Balsamon* agrees in setting down this Canon, but indeed there is some difference, and *Balsamon's* Translation hardly intelligible) otherwise then the Doctor (in his Reply to *Schism Disarm'd* p. 209.) relates them.) The business there consulted upon, was about the readmission of the recanting *Donatists*, not only to the Unity of the Catholick Church, but also to the former Dignities, which such had held in the Church: concerning this a Council had been held already in *Italy* by § 35.

by *Anastasius* and his Bishops; wherein it was decreed, that such *Donatists* should not be admitted to their former honours and places; and a Letter was to this purpose sent to the *Africans* by *Anastasius*. Concerning which Letter, first this Council saith, *Recitatis epistolis beatissimi Fratris & consacerdoti nostri Anastasii, quibus nos paternæ & fraternæ charitatis solicitudine & sinceritate adhortatus est, ut* &c —*Gratias agimus Domino nostro, quod illi optimo ac sancto Antistiti suo tam piam curam pro membris Christi (quamvis in diversitate terrarum, sed in una compage corporis, constitutis) inspirare dignatus est.* Then in *Can.* 33. they say, *Consideratis omnibus* &c. *eligimus cum memoratis hominibus* [the Donatists] *leniter & pacifice agere*, upon this reason; that so they might reduce, together with them, many others seduc'd by them. Lastly, in *c.* 35. which is the Canon urged, they say; *Itaque placuit ut literæ mittantur ad fratres & coepiscopos nostros* [*i. e.* those of the Council which *Anastasius* had held in *Italy*] *& maxime ad sedem Apostolicam, in qua præsidet memoratus venerabilis Frater & Collega noster Anastasius, quo noverit habere Africam magnam necessitatem, ut ex ipsis Donatistis, quicunque transire voluerint* &c. *in suis honoribus suscipiantur, si hoc paci Christianæ prodesse visum fuerit*; *i. e.* (as they explain themselves afterwards in the same Canon) that such Clerks of the *Donatists* should be admitted to their former Dignities, upon whose reconcilement depended the gaining and reduction of a multitude also of other Souls, who were their followers. This then they were to write to the Pope and the Bishops of the *Italian* Council; that such *Donatist*-leaders might be readmitted not only into the Church's bosom, but to their former places. They go on: *Non ut Concilium, quod in transmarinis partibus de hac re factum est* [who had decreed the contrary] *dissolvatur*;

tur; ſed ut illud maneat [the Council ſtand good] *circa eos, qui ſic tranſire ad Catholicam volunt, ut nulla per eos unitatis compenſatio procuretur* (*i.e.* who do not procure the uniting of many others) *per quos autem—adjuvari manifeſtis fraternarum animarum* [of thoſe under the *Donatiſt* Clergy's Spiritual Conduct] *lucris Catholica unitas viſa fuerit, non eis obſit, quod contra honores eorum—in tranſmarino Concilio ſtatutum eſt.* Then, contracting what is formerly ſaid, they conclude thus; *id eſt, ut ordinati in parte Donati, ſi ad Catholicam correcti tranſire voluerint, non ſuſcipiantur in honoribus ſuis, ſecundum tranſmarinum Concilium; exceptis his, per quos Catholicæ unitati conſuletur.* Now ſome difference there is, between their writing to the Pope, and the Biſhops of the former Council; *ne obſit*, for ſome; and *maneat* for the reſt; and their *decreeing* againſt the Pope and that Council, *ne obſuerit for any.* Now this cloſe is thus Engliſh'd by the Doctor out of *Balſamon*; "That they that have bin 'Ordain'd on the part of the *Donatiſts*, ſhall not be 'proceeded with according to the tranſmarine Synod, 'but ſhall the rather be receiv'd, as thoſe that take care 'for the Catholick Unity. How well, I leave to your judgment.

Now to theſe ſeveral inſtances, which I have drawn out of the primitive times, the anſwers which are uſually made by ſome (for you muſt expect, that nothing is ſaid by any ſide, which is not reply'd to by the other) are ſuch as theſe; That ſuch places, as ſpeak of the Primacy and Principality of the Roman Biſhop, ſpeak only of that of Order and Dignity, not of Power or Authority;—*Apoſtolicæ Cathedræ Principatus*; *i. e.* ſay they, *quoad dignitatem, non quoad poteſtatem.—Rector domus Dei*; —*Eccleſiæ Catholicæ*, or *univerſalis Epiſcopus*; *i.e.* ſay they, *Unus*

§ 36. *The Proteſtants ordinary Replies to theſe, to me ſeeming not ſatisfactory.*

Unus e rectoribus domus Dei; unus ex Epiſcopis, &c.— That ſuch places as mention appeals to the Biſhop of *Rome*, ſpeak of them as made to him, *non ut ad Judicem, ſed ut ad ejuſdem fidei fautorem, ut ejuſdem fidei profeſſores in communionem ſuam admitteret,—non ob aliquam jurisdicendi authoritatem, ſed ob amicam communionis ejuſdem ſocietatem.* That the like addreſſes were made to other Patriarchs and Biſhops for their communion and aſſiſtance, as to him; and that his Letters were requeſted, and, in behalf of ſufferers, directed to all parts of Chriſtianity; not by vertue of any authority he had to correct, but by reaſon of the power he had (from the reverence they gave to the dignity of his place) every where to perſwade. That ſuch places of Fathers, or Councils, as affirm, that no publick affairs of the Church may be tranſacted without the Biſhop of *Rome*, are not appropriate therefore only to him; but verified as much of the reſt of the Patriarchs, as of him. That thoſe places which mention his cenſuring, excommunicating, depoſing Clergy, that were not under his own Patriarchy, ſpeak not of any authoritative or privative excommunication (to uſe the Biſhop of *Derry's* expreſſion, *Vind. c.* 8.) by way of juriſdiction, excluding ſuch from the communion of Chriſt; but only of a negative, in the way of Chriſtian diſcretion, by with-drawing him, or his, from communion with them; for fear of infection, for declaring his non-currence with, or countenancing of, their fault, *&c.* There being great difference (as Dr. *Field* obſerves p. 558.) between excommunication properly ſo nam'd, or authoritatively forbidding all men to communicate with ſuch and ſuch; and the rejecting only of them from our communion and fellowſhip. [And I alſo confeſs and grant, ſuch negations of communicating with others anciently uſed: and amongſt the

reſt uſed alſo by the Biſhop of *Rome*, who often prohibited his Legates and others from communicating with ſome other Biſhop (as with the Biſhop of *Conſtantinople*, when he uſed the ſtile of *Univerſalis*,) or from going to, and being preſent at, their celebration of Divine Service; when he did not excommunicate the other, nay when alſo he admitted the miniſters of the other, and thoſe who communicated with the other, to come to his communion and celebration of Divine Service. See *Gregory* (*l.* 31. *Ep.* to *Eulogius* and *Anaſtaſius*) indulging this to thoſe, who were ſent from *Cyriacus* Biſhop of *Conſtantinople* to him. But that all the Biſhops excommunications of thoſe without his Patriarchy were only ſuch, this is the thing denied.] –That 'the like may be ſaid of his confirming or reſtoring his 'fellow-Biſhops; that it was done, not by way of fo-'renſical juſtice, but fraternal approbation: and that 'all other Patriarchs uſed excommunicating, depoſing, 'acquitting, and reſtoring, in the ſame manner, allow-'ing or withdrawing their communion from their fel-'low-Biſhops, as they ſaw fit; and that they con-'firmed the *Roman* Biſhop by their communicatory let-'ters, as he them. [Which things, how well they agree with the aboveſaid forms of ſuch Eccleſiaſtical cenſures, and with other practices of the Roman Biſhops towards others, much differing from the practices of other Patriarchs either towards him, or towards others; how well they agree with the addreſſes made from both Church-governors and Councils, upon differences and contentions in the Church, to *Rome*; addreſſes not uſed in the ſame manner to the other Patriarchs, (yet would have bin done equally to them alſo, had all Patriarchs bin eſteemed in their power equal); eſpecially how they agree with what is ſaid § 24. and § 18. upon

reviewing the inſtances I have given, I leave to your judgment.] —"That the places, which ſpeak of his 'judging cauſes, and inflicting ſuch Eccleſiaſtical cen-'ſures *&c*, ſpeak not of him ſingly, but as joined with 'his Weſtern Biſhops; they meaning, by this, not ſome 'of his Weſtern Biſhops only, (whoſe aſſiſtance the *Ro-'man* Biſhop ordinarily uſeth in all his judgments,) but 'his whole Patriarchal Council. —That thoſe places, 'which do argue, joining-with the *Roman*, to be join-'ning with the Catholick, communion, (ſee before '§ 23. *n.*2. and *n.*3. and § 32. as it muſt needs be, that, 'if God hath appointed any perſon or Council as a ſu-'preme Guide, whom the reſt ought to obey, ſuch mem-'bers, as do not obey, cannot be Catholick,) are ſpoken 'only with reſpect to ſuch a Roman Biſhop at ſuch a 'time, who, in their opinion, held the true Profeſſion; 'and not, that all the Roman Biſhops at any time have, 'or ſhall, hold it; thoſe, who made theſe expreſſions, 'accounting the Roman Biſhop orthodox and catholick, 'becauſe he then was of ſuch a faith as they approved; 'not the faith orthodox and catholick, becauſe it was 'the faith of the Roman Biſhop, or which he approved. 'So *Spalatenſis*, in anſwer to the places produced out of 'S. *Hierom.* in 23. §. faith, (4. *l.* 10. *c.* 23, *n.*) *Quod Hie-'ronymus Damaſo, hoc eſt Petri cathedræ, conſociari velit, ſig-'nificat privilegium illius Cathedræ adhuc Hieronymi tempore 'vigens circa fidei puritatem:* and 88 *n.* —*Quaſi dicat: 'quia nunc* [not *perpetuo*] *in terris video Apoſtolicam doctri-'nam Romæ maxime puram conſervari, ideo in his diſſenſio-'nibus volo tibi adhærere.* [Which anſwer circularly makes him to judge firſt in what Church the true doctrine is, who is to ſeek what Church to adhere to, to be guided by it to the true doctrine. Whereas thoſe, who ſubmitted to the Roman, as the moſt orthodox, gathered

gathered it to be orthodox, as being S. *Peter's* Seat, and the prime Apoſtolical See.] " That moſt of theſe te-
' ſtimonies and examples are not alledged out of the
' firſt and pureſt times ; *non eſſe ex prima antiquitate, ſed*
' *poſt Nicænam Synodum ; cum ſchiſmata & partium ſtudia*
' *in Chriſtianos valere cæperunt.* Yet then ; that as their
' pride claimed much, (as they claimed indeed great au-
'thority from the beginning,) ſo were they by the re-
' ſoluteneſs of their fellow-Biſhops as much oppoſed ;
' and what they decreed, ſeldom executed. And laſtly,
' That much more dominion over the Church of God,
' than is ſhewed here to have bin then practiſed, is now
' aſſumed, (but what is this to the vindicator only of
' their ancient practice?) and, That were it not aſsum-
' ed, yet many and unſufferable are the inconveniences
' of ſo remote a Judge of Appeals. (But ſee concerning this what is ſaid before, §.14.) To ſuch exceptions as theſe, I will trouble you with no reply : If you do not find the former paſsages (reviewed) ſufficiently to juſtifie themſelves againſt theſe limitations and reſtrictions, and to vindicate much more authority to the Apoſtolical See than is here confeſsed, for me you may admit them for good anſwers.

§.37. *Such power anciently exerciſed by the Biſhop of Rome, not only exerciſed jointly with a Patriarchal Council, (which is by ſome pretended.)*

Hitherto I have bin ſhewing you the ſubordinations of Clergy, for regular Ordinations; for ſetling doctrine and diſcipline in the Church ; and for deciding differences ; and amongſt theſe, (from § 11.) the great power given to Patriarchs ; and amongſt and above them (from § 21.) more particularly, the power and preeminence the *Roman* See hath anciently challenged, or others yeilded to it. In the next place obſerve ; That the exerciſe of this power anciently lay not in the *Roman* Biſhop, or other Patriarchs, only as joined with,

or Preſident in, a Patriarchal Synod; nor in Primates and Metropolitans, only as Preſident in a Provincial; (a refuge, which many willingly fly to, in their defence of a diſſimilitude of the preſent, to the ancient Government of the Church by them;) but in them, as uſing only their private council, or the aſsiſtance of ſuch neighbouring Biſhops, as could without much trouble be convened: Of which I ſhall give you an account out of Biſhop *Bramhal*, and Dr. *Field*, who have made it up to my hand.

Thus then Dr. *Field*, (*5. l. 30. c. p. 513.*) —"Provincial 'Councils were by ancient canons of the Church to be 'holden in every Province twice every year. It is very 'neceſſary (ſay the Fathers of the Council of *Nice*) that 'there ſhould be a Synod twice in the year in every 'Province; that all the Biſhops of the Province meeting 'together may in common think upon thoſe things that 'are doubtful and queſtionable. —For the diſpatch of 'Eccleſiaſtical buſineſs, and the determining of matters 'in controverſy, we think it were fit (ſay the Fathers in 'the Council of *Antioch*) that in every Province Synods 'of Biſhops ſhould be aſſembled twice every year. [To 'the ſame effect he quotes *Conc. Chalced.* 18. *c.* ſee likewiſe *Canon. Apoſtol.* 38.] —But in proceſs of time, 'when the Governours of the Church could not conve'niently aſſemble in Synods twice a year, the Fathers 'of the Sixth General Council decreed, (*Can.* 8.) that 'yet in any caſe there ſhould be a Synod of Biſhops once 'every year for Eccleſiaſtical queſtions. Likewiſe the 'Seventh General Council (*can.* 6.) decreeth in this 'ſort: —Whereas the Canon willeth judicial inquiſition 'to be made twice every year by the aſſembly of Bi'ſhops in every Province; and yet for the miſery and 'poverty of ſuch as ſhould travel to Synods, the Fathers

'of

'of the 6th General Council decreed it ſhould be once 'in the year, and then things amiſs to be redreſſed, we 'renew this latter canon.– But afterwards many things 'falling out to hinder their happy meetings, we ſhall 'find that they met not ſo often, and therefore the 'Council of *Baſil* appointeth Epiſcopal Synods to be 'held once every year, and Provincial at leaſt once in 'three years, [and ſo doth *Conc. Trident. 24. ſeſſ. 2. cap. pro 'moderandis moribus, corrigendis exceſſibus, controverſiis 'componends*, &c.] which accordingly were kept every 'third year by *Carlo Borrhomeo*, Metropolitan of *Mil-'lain.* And ſo in time, cauſes growing many, and the 'difficulties intolerable, in coming together, and in 'ſtaying to hear theſe cauſes thus multiplied and in-'creaſed, (which he confeſſeth before to be juſt conſi-'derations,) it was thought fitter to refer the hearing 'of complaints and appeals to Metropolitans, and ſuch 'like Eccleſiaſtical Judges, limited and directed by ca-'nons and Imperial laws; than to trouble the Paſtors 'of whole Provinces, and to wrong the people by the 'abſence of their Paſtors and Guides. Thus Dr. *Field.*

And muchwhat to the ſame purpoſe Biſhop *Bramhal*, (*Vindic.* p. 257.) " What power a Metropolitan had 'over the Biſhops of his own Province by the Canon-'law, the ſame and no other had the Patriarch over the 'Metropolitans, and Biſhops of ſundry Provinces, within 'his own Patriarchate: But a Metropolitan anciently 'could do nothing out of his own [*particular*] Dioceſs, 'without the concurrence of the *major* part of the bi-'ſhops of his Province; nor the Patriarch in like man-'ner without the advice and conſent of his Metropoli-'tans and Biſhops. Wherein then conſiſted Patriarchal 'authority? —In convocating Patriarchal Synods and 'preſiding in them; in pronouncing ſentence according to

'to plurality of voices, when Metropolitan Synods did 'not ſuffice to determin ſome emergent difficulties or 'differences. —I confeſs, that by reaſon of the great 'difficulty and charge of convocating ſo many Biſhops, 'and keeping them ſo long together, until all cauſes 'were heard and determined; and by reaſon of thoſe 'inconveniences which did fall upon their Churches in 'their abſence, Provincial Councils were firſt reduced 'from twice, to once, in the year; and afterwards to 'once in three years. And in proceſs of time the hear-'ing of Appeals, and ſuch-like cauſes, and the execution 'of the canons in that behalf, were referred to Metropoli-'tans, until the Papacy ſwallowed up all the authority 'of Patriarchs, Metropolitans, and Biſhops]. Thus the Biſhop. Now concerning what they have ſaid, note

1. 1. That tho Provincial Councils in ſome ages and places were more frequently aſſembled; in the time of whoſe ſitting, as the aſſembled could do nothing without their Primate or Metropolitan, ſo neither he without them; yet in the intervals of ſuch Synods (which intervals were too long, to leave all matters of controverſy whatever, till then, in ſuſpence; and happened many times alſo anciently to be longer than the canons permitted) the Metropolitans authority was not void; but they, limited and directed by the former decrees of ſuch Synods, were truſted with the execution thereof, and with the doing of many things, eſpecially in ordinary cauſes, by themſelves alone; but ſo, as their acts of juſtice might upon complaint be reviewed in the fitting of the next Council, and, if diſliked, repealed.

2. 2. That, tho Metropolitan Synods in ſome times were not unfrequent; yet Patriarchal Synods were never, nor never well could be, ſo; nor find we any ſet times appointed for calling them, as for calling the other;

ther; so that, as tis plain by many former instances, that the Patriarch ordinarily did, so tis all reason that he should, decide some appeals without them: tho in some cases extraordinary, and of great consequence, such Councils also were assembled.

3. Since, where they speak of the Metropolitans judging matters alone, to have bin a practice only of latter times; yet they allow this to be done upon very rational grounds: observe, that there were the same rational grounds of doing it anciently: and again, that the practice, they justify for Metropolitans in latter times, they have much more reason to allow to Patriarchs in all times; because the greater the Councils are, with the more trouble are they conven'd. and lastly, that the reformed Metropolitans themselves, who blame the Bishop of *Rome*'s managing Ecclesiastical affairs by himself alone, *i.e.* without a Patriarchal Synod; yet themselves think it reasonable to do the same thing, themselves alone, *i.e.* without their Provincial Synod; authorizing their High-commission Court, and blaming his Consistory. Now what is allowed to Patriarchal proceedings, without Councils, in respect of appeals from their several Provinces; the same it is, that, in the differences and contests of Patriarchs themselves, and of other greater Bishops, (since it is meet for preserving the Church's peace and unity, that some person, or assembly, should have the authority to decide these; and since it is unreasonable, and for the great trouble thereof not feisible, that a General Council, or also Patriarchal, in all such differences, should be assembled); the same (I say) it is, that, by ancient custom and Ecclesiastical canons, hath bin conferred on the *Bishop* of *Rome* with his Council, (tho granted liable to error); He being more eminently honourable than the rest, by 3.

reason,

reaſon, of the larger extent of his Patriarchy; of the great power and ancient renown of that City, which in Spiritual matters he governed; but eſpecially, of the two greateſt Apoſtles, *Peter* and *Paul*, there ending their days in the government of that See, and leaving him there the Succeſſor of their power. Yet is this office of ſupreme judicature ſo committed unto him, that his judgments only ſtand in force till ſuch a meeting; and may be reviewed, and, where contrary to former canons, reverſed, by it; concerning which ſee the ſaying of S. *Auſtin*, quoted before, § 22.—*Reſtabat adhuc plenarium Eccleſiæ univerſæ Concilium* &c. and the ſaying of *Zoſimus*, quoted §. 22. *n.* 2. and the Epiſtle of *Gelaſius*, quoted § 25. *n.* 3. and what is ſaid § 22. Now, all Metropolitan and Patriarchal authority in the intervals of Councils being limited to the execution of Conciliary Laws and Canons, or, at leaſt, to the acting nothing againſt them, if the queſtion be asked, who ſhall judge whether ſo they do? I anſwer, none but a ſuperior Council; till which their judgment ſtands good. For (as I have largely ſhewed elſewhere) if Litigants once may judge of this, when their Judges judge rightly, and not againſt the laws, and accordingly may yeild or ſubſtract their obedience; ſuch obedience is arbitrary. In civil Courts, Princes, or their Miniſters, are obliged to judge according to, or not againſt, the laws of the Kingdom; may the litigant therefore reject their judgment, when it ſeems to him contrary to theſe laws? I believe not.

Thus

Thus much having bin ſaid of the authority and juriſdiction given, by Eccleſiaſtical conſtitutions and ancient cuſtoms and practice, to ſome Eccleſiaſtical perſons above others; and amongſt them, ſupereminently above all the reſt, to the *Roman* Biſhop; and given to theſe perſons, not only as joined with Councils, but as ſingle Magiſtrates, in the vacancy thereof; in the next place, theſe Propoſitions alſo I think muſt neceſſarily be granted. Firſt; That whatever authority is thus ſetled upon any perſons by the canons and cuſtoms of the Church, concerning the managing of affairs not civil, but meerly Spiritual and Eccleſiaſtical, cannot be annulled, and diſſolved, nor cannot be conferred, contrary to the Church's conſtitutions, on any other perſon, by any Secular power; neither by Heathen and unbelieving Princes, who were enemies to the Church; nor by Chriſtian much leſs: becauſe theſe are in Spiritual matters Sons and Subjects of the Church, and now obliged to obey her laws; neither by the one, who ſo might eaſily hinder the propagation of Chriſtianity; nor by the other, who, if happening at any time to be Heretical or Schiſmatical, might eaſily hinder the profeſſion of the Orthodox faith, or diſturb the Church's peace. Thus *Grotius*, a great Lawyer, (*in Rivet. Apol. diſcuſſ. p.*70.) *Imperatorum & Regum aliquod eſſe officium etiam circa res Eccleſiæ, in confeſſo eſt. At non tale, quale in ſæculi negotiis. Ad tutandos, non ad violandos Canones jus hoc comparatum eſt. Nam cum Principes filii ſint Eccleſiæ, non debent vi in matrem uti. Omne corpus ſociale jus habet quædam conſtituendi, quibus membra obligentur; hoc jus etiam Eccleſiæ competere apparet Act.*15.28. *Heb.*13.17. where he quotes *Facundus* ſaying of *Martianus*: *Cognovit ille quibus in cauſis uteretur Principis poteſtate, & in*

§ 38. *That it is ſchiſm to deny obedience to any Eccleſiaſtical power eſtabliſhed by Eccleſiaſtical Canon: and that no ſuch power can be lawfully diſſolved by the power Secular.*

quibus exhiberet obedientiam Christiani.— And —*Obedite Præpositis, etiam Regibus dictum.*— See this discoursed more largely in *Succeſſ. Clerg.* §. 64, 65. 2. And further; That it is Schism to deny obedience to any Ecclesiastical power so established, and never since by the same Ecclesiastical laws reversed. I say here, *concerning matters Ecclesiastical*, not Civil; therefore, let that Proposition of Dr. *Hammond* (*Schism 6.c.p.*129.) for me stand good, ["That a Law, tho made by a General "Council, and with the consent of all Christian Prin-"ces, [i.e. *of that time*,] yet, if it have respect to a ci-"vil right, may in this or that Nation be repealed, [*i.e. by that Prince's Succeſſors*]; provided only, That the ordaining or confirming of inferior Governors and Officers of the Church; the assembling of Synods; and decision of controversies of Religion; the ordering Church-service and discipline; the Ecclesiastical censures upon delinquents, and the like, for preventing or suppressing of Heresie, Schism, and Faction; and for preserving the Church in unity of doctrine and practice: Provided (I say) that such things be not reckoned amongst civil rights; as they may not be; because all these were things used by the Church under the heathen Emperors, even against their frequent Edicts: yet could they not have bin lawfully so used, if any of these had encroached on civil rights; in any of which civil rights, the heathen Prince might claime as much lawful power to prohibit them, as the Christian can. And because all these were continued to be used by the Church also under Christian Emperors, without asking their leave to decree such things, or subjecting them to their authority, or depending on their consent, (only with humbly desiring their assistance, yet so as, without it, resolv'd to proceed in the execution thereof as under

der Heathen; as clearly appeared under the the *Arian* Emperors;) yet which thing she could not lawfully have done, were any of these entrenching upon anothers right. For example; the 6th *Canon* of *Nice*, and 5. *Can.* of *Constant.* Council, would have bin an usurpation of an unjust authority, if the subordination of Episcopal Sees, and erecting of Patriarchs had belonged to the Prince. Upon the same grounds let also those instances (collected by Bishop *Bramhal*, *Vindic.* 7. *c.*) of several Princes and States, on many occasions opposing the Pope's authority, stand good and be justified, so far as he doth not shew these Secular powers to have opposed him in any right belonging to him, by Church-canons, in Ecclesiastical matters. But if in any of those examples, they are also found to oppose him in these, the proving of such facts to have bin done, justifies not their lawfulness to be done. Tho also he confesseth, that this fact of *Hen.* 8. in abolishing the usurped (as he calls it) jurisdiction of the Bishop of *Rome* within his Dominions, he cannot fellow abroad. See what he saith, *Vindic.* 7. *c. p.* 184.. Neither do such facts, as he urgeth to be done abroad, hinder such Princes for living still in the external communion with the Church of *Rome*; which facts he urgeth as a defence of the Reformed's necessary relinquishing this communion. Again, I said, *That no such Spiritual authority can be conferred, or translated to others, contrary to such Church Canons*, &c. Else, whenever it is not contrary to these Canons, I grant that inferior Councils, or Church-governors, or also Secular powers with their consent, may change and alter many things, both in respect of Ecclesiastical persons and affairs: therefore many cases concerning the Kings of *England*, with such consent of inferior Councils or Church-governors, erecting or translating Bishopricks,

&c. (inſtanc'd in by D.. *Hammond* or Biſhop *Bramhall*) are juſtifiable, where any were not contrary to the Laws of the Church, *i. e.* of ſuperior Councils: but in any other examples, where ſuch Laws are tranſgreſſed, either by the Prince, or alſo by their particular Clergy, the proving ſuch facts to have bin done, juſtifies not their lawfulneſs to be done, tho ſuch acts were done without any expreſs or preſent controul. Things being thus explain'd, I ſay, (to give a particular inſtance of the former propoſition), No Prince or Emperor, Heathen or Chriſtian, &c. can, for his own Dominions, diſſolve or abrogate the authority, concerning Eccleſiaſtical affairs, of thoſe Patriarchs or Primates conſtituted (or confirm'd) in the 6th Canon of the Council of *Nice*, (the Church not commanding obedience to Patriarchs at random, or to ſuch as the Secular Prince ſhould ſet over us; but alſo nominating and conſtituting, from time to time, the Sees, which had or ſhould have ſuch preeminence), if theſe be ſince by no other General Council revers'd: nor can any, who by that Canon is ſubjected (for inſtance) to the Patriarch of *Alexandria*, deny obedience in ſuch Eccleſiaſtical matters to him without Schiſm; tho his Secular Prince ſhould command the contrary, or ſubject him to another.

And if theſe things here ſaid be true, then alſo ſo far as the Biſhop of *Rome's* Authority is found to be confirm'd, in matters Spiritual, by the Church's Canons, and ancient cuſtom, over any Churches Provincial or National, it will be Schiſm for any ſuch Chriſtian Prince or People to oppoſe it; ſo long, till the like Council reverſeth it. Hence; to thoſe three pretended rights of the Roman Biſhop over the Church of *England*, whereby Schiſm is ſaid to be incurr'd, mention'd by Dr. *Hammond* (ſee *Schiſm* p. 138.) namely, his right 1. As St *Peter's*

ter's Succeſſor; or 2. By converſion of the Nation to Chriſtianity; or 3. By the voluntary conceſſion of Kings; I ſuppoſe I may add a 4th, with his good leave; namely, his right by ancient Conſtitutions and Canons of the Church; and may rightly affirm, that if any ſuch right could be prov'd, the *Engliſh Clergy* muſt be Schiſmaticks in oppoſing it, tho all the other pretences be overthrown: For ſuch a ſort of Schiſm Dr. *Hammond* mentions p. 66. It may be obſerv'd indeed in our writers: That they freely determine; 1. That the Secular Prince hath a juſt external authority in Eccleſiaſtical affairs committed to him by God to enforce the execution of the Church's Canons upon all, as well Clergy as Laity, within his Dominions (a thing denied by none). 2. Again; That the Secular Prince hath no internal Eccleſiaſtical authority delegated to him by God, as to Adminiſter the Sacraments, to Abſolve, Excommunicate, *&c.* 3. Again, That the Secular Prince hath no juſt authority to determine any thing concerning Divine Truths; or perhaps other Eccleſiaſtical affairs without the Clergy's help and aſſiſtances. But whether ſuch Eccleſiaſtical Determinations, or Laws, are obligatory when the Prince makes theſe, being aſſiſted only with ſome ſmall portion of the Clergy, and oppos'd by the reſt; or alſo by a ſuperior Council, or Court Eccleſiaſtical: Or, whether the Prince, againſt theſe, provided that he have ſome leſſer number of Clergy on his ſide, may reverſe former Canons, or enact new, to oblige the Clergy and Laity under his Dominion: This they ſeem to me not freely to ſpeak to; moſtwhat to paſs over, and ſome of our later Writers, when they are forc'd upon it, rather to deny it. And indeed neither is there any thing in the Oath of the King's Supremacy (except it be in that general clauſe

[*I will*

[*I will defend all Juriſdictions, &c.*] granted), nor in the 37 Article of the Church of *England* (which treats of the King's power in Eccleſiaſticals) that may ſeem to affirm or determine it. For whereas the Oath in general makes the King only ſupreme Governor in Eccleſiaſticals, he may be ſo for ſome thing, and yet not for every thing (not therefore the ſupreme decider of all Divinity controverſies). And whereas the 34th Article expounds the Supremacy thus, [That he is to rule all eſtates and degrees committed to his charge by God, whether they be Eccleſiaſtical or Temporal; and reſtrain with the Civil Sword the ſtubborn and evil-doers]. All this he may do, and yet be ty'd in all things to the Laws of the Church; and to leave to the Church's ſole judgment who are evil-doers, or Heretical perſons, *&c.* when any controverſie ariſeth in Divine matters, about the lawfulneſs of ſome Practice, or truth of ſome Tenet.

§ 39. *The Conceſſions of B.* Bramhall *and of Dr.* Hammond, *in this matter.*

Now let us ſearch therefore, how far the conceſſions of Biſhop *Bramhall* and Dr. *Hammond* may extend to the confirmation of the foreſaid aſſertions. The Biſhop (*Vindic. c.* 8. *p.* 232.) hath this propoſition (indeed with application thereof to the Pope, as guilty therein), 'To rebel againſt the Catholick Church, and its repreſentative a General Council, which is the laſt viſible 'Judg of controverſies, and the ſupreme Eccleſiaſtical 'Court, either is groſs Schiſm; or there is no ſuch thing 'as Schiſmatical pravity in the world. *To rebel againſt ſuch a Council; i.e.* againſt the conſtitutions thereof in affairs meerly Spiritual; therefore if their Canons eſtabliſh ſuch and ſuch Patriarchates, to rebel againſt theſe will be Schiſm. So (*p.* 269.) he ſaith, 'In caſes 'that are indeed Spiritual, or meerly Eccleſiaſtical (ſuch

'as

'as concern the Doctrine of Faith, or Administration 'of the Sacraments, or the Ordaining or Degrading 'of Ecclesiastical persons [I add, or those mention'd but now § 38. which relate not to the Civil State, but meerly to the well-governance of the Church] 'Sove-'raign Princes have (and have only) an Architectoni-'cal power, to see that Clergy-men do their duties [*i. e.* according to such Church-decrees]. Else, had Princes in such matters a negative or destructive power, this would be the right of Heathen Potentates also; and the primitive Church guilty of Rebellion in disobeying, in these things, their strictest prohibitions. Again (p. 257.) he saith; 'Thus neither the Papal power, 'which we have cashier'd, nor any part of it, was ever 'given to any Patriarch by the ancient Canons; and 'by consequence the separation is not Schismatical. Therefore it seems it had been Schismatical, had such power been given him by the Canons.

Now to view Dr. *Hammond*, —(*c.* 3. *p.* 54.) he saith, § 40. 'It is manifest, that as the several Bishops had Præfecture 'over their several Churches, and over the Presbyters, 'Deacons, and People, under them; such as could not 'be cast off by any, without the guilt and brand of 'Schism; so the Bishops themselves of the ordinary in-'ferior Cities, were (for the preserving of unity, and 'many other good uses) subjected to the higher power 'of Archbishops, or Metropolitans. Nay, we must yet 'ascend one degree higher, from this of Archbishops 'or Metropolitans, to that supreme, of Primates or Pa-'triarchs; the division of which is thus clear'd, *&c.*— And (p. 60.) 'The uppermost of the standing powers 'in the Church, are Archbishops, Primates, and Patri-'archs, to whom the Bishops themselves are appointed 'in

'in many things to be subject; and this power [I add, and the particular Sees to whom it shall belong], 'and 'subjection defin'd and asserted by the ancient Canons; 'and most ancient (even immemorial Apostolical) tra-'dition and custom is avouch'd for it [I add, especially 'for the eminency of the Roman See] as may appear, '*Conc. Nican. Can.* 4, 6.–*Conc. Antioch. c.* 9. *c.*20.–*Conc.* '*Chalc. c.* 19. *&c.* After all which, p. 66. of the same Chapter (the Title of which is, *Of the several sorts of Schism*) he concludes, 'That there may be a disobe-'dience and irregularity, and so a Schism, even in the 'Bishops, in respect of their Metropolitans, and of the 'Authority which these have by Canon and primitive cu-'stom over them. Which was therefore to be added to the 'several species of Schism set down in the former Chap-ters. Where, tho the Doctor is pleased not to name particularly Patriarchs, yet the quotation p. 54. [*We must yet ascend &c.*] and p. 60. shews you, that he, upon the same reason of Church-Canons and primitive Custom, doth and must hold, that there may be a Schism also in the Metropolitans (and consequently in all those under the Metropolitans) in respect of their Patriarch. The uniting, as of several Dioceses in one Metropolitan, and of several Provinces and Metropolitans in one Pri-mate, so of many Nations and Primates in one Patri-arch, exceedingly conducing to the peaceable govern-ment and cohesion of the Church Catholick, and sup-pression of Heresies and Schisms, oft'ner National, than Diocesan only, or Provincial. *Quæ vero est causa* (saith *Grotius* in his first Reply upon *Rivet. ad Art.* 7.) *cur, qui opinionibus dissident inter Catholicos, maneant in eodem cor-pore, non rupta communione; contra, qui inter Protestantes dissident idem facere nequeant, utcunque multa de dilectione fraterna loquantur? Hoc qui recte expenderit inveniet, quan-*

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ta sit vis Primatus. Which Primacy St. *Hierom* observes, even amongst the Apostles themselves (*adversus Jovinianum l.* 1. *c.* 14.) *Super Petrum fundatur Ecclesia; licet id ipsum in alio loco super omnes Apostolos fiat; & cuncti claves regnorum Cœli accipiant, & ex æquo super eos Ecclesiæ fortitudo solidetur: tamen, propterea, inter duodecim unus eligitur, ut capite constituto, schismatum tollatur occasio.* *Capite*, that is, not only in dignity, but also in some authority; else can such Head not remedy Schisms. Patriarchs therefore, as well as Metropolitans, much conducing to the removing of Schisms, and preserving the Church's unity, I suppose, whatever the Prince or Emperor should attempt against such Metropolitan or Patriarch, either to oppose him in the managing of those spiritual matters, and to deny him to exercise (either by himself or his Ministers) his jurisdiction in any Province which is by Church Canons subjected unto him, or to depose him from his See, or to transfer his authority and jurisdiction on some other, whom he more approves of (as if *Valentinian*, much affected to the *Arrians*, should have transferr'd St. *Ambrose* his Archiepiscopal jurisdiction upon *Auxentius*, an *Arrian* Bishop, whom he much affected; as his Mother *Justina*, I think, actually did, wanting only possession of the Church; which *Ambrose*, assisted also by the people, stoutly resisted) yet still according to Dr. *Hammond's* judgment, as long as the Canons of the Church remain the same, it would be Schism in any to disobey such Metropolitan (or to side with the Prince), and Schism in the Prince himself as well as in the rest. Again, *S. W.* replying thus upon these words of his (*Schis.* p. 125.) [the Canons of Councils have mostly been set out, and receiv'd their authority by the Emperors]; 'That never was 'it heard, that an Emperor claim'd a negative Voice

'in making a Canon of a Council valid, which concern'd 'matters purely ſpiritual; nay, not diſaccepted them 'decreed unanimouſly by the Fathers, but all the world 'look'd upon him as an unjuſt and tyrannical Encroacher. To this Dr. *Hammond* (*Anſ. to Schiſm Diſarmed* p. 203.) ſpeaks thus; 'For the appendage *&c.* I need 'not reply; having never pretended, or ſeem'd to pre-'tend, what he chargeth on me concerning the Empe-'ror's negative Voice in the Council: what I pretended 'I ſpake out in plain words [that the Canons have bin 'moſtly ſet out, and receiv'd their authority, by the 'Emperors, (and this receiving their authority is (I 'ſuppoſe) in order to their powerful reception in their 'Dominions) and this he acknowledgeth—and ſo we 'are Friends. Thus Dr. *Hammond*. Now all that which *S. W.* there acknowledgeth, is, 'That the ſupreme 'Secular power is oblig'd to ſee, that the Church's De-'crees be receiv'd, and put in execution. By Dr. *Hammond*'s conſent then, a negative Voice the Prince hath not, to reverſe or contrary the Church's Canons in ſpiritual matters; only he thus may be ſaid *to give authority to them* (methinks the phraſe is very improper, and liable to be miſtaken) to ſee them in his Dominions to be put in execution. Note, that what is ſaid here of the Secular Prince, is alſo to be ſaid of any particular Clergy, in reſpect of ſuperior Councils. Again, that what is ſaid of the Prince or Clergy of the ſame Age, wherein ſuch Canons are enacted, is to be ſaid of their ſucceſſors, till the ſame authority which impoſeth, abrogate ſuch Canons. (As in Civil Governments the ſame Laws which bind the Parents, bind the Children, without the Legiſlative power's asking their conſent).

Many,

Many, I find, are the ſhifts to get looſe from theſe Canons, and ſuch links of Church-relations; many the pretences to null their force; but to me ſeeming invalid and vain.—*Grotius* (*Diſc. Riv. Apol. p.* 69.) bringing forth againſt *Rivet* the teſtimony of *Blondel*, [*non negari a Proteſtantibus dignitatem Sedis Apoſtolicæ Romanæ; neque primatum ejus ſuper Eccleſias vicinas; imo aliquatenus ſuper omnes; ſed referri hoc ab iis ad jus Eccleſiaſticum*]. *Rivet* (*Grot. diſc. dialyſ.*) thus replies to it; —Ad jus Eccleſiaſticum; *Hoc eſt, ad inſtitutum humanum: Quo poſtea abuſi ſunt Epiſcopi Romani ad Monarchiam ſtabiliendam. Itaque quod ab hominibus initio conceſſum, cum ad jus Dei evertendum poſtea fuerit converſum, merito poſſeſſoribus injuſtis denegatur.* (See the ſame plea in Biſhop *Bramhall*, *Vindic.* p. 252. *&c.*) That *Inſtitutum Eccleſiaſticum* is *jus humanum*: True. And that it may be taken away: True. By the Church, that conferr'd it; *i. e.* by another General Council, but not by Laicks, or ſome few Eccleſiaſticks. and may be denied *injuſtis poſſeſſoribus.* True; ſo much as they poſſeſs unjuſtly; *i. e.* contrary to Canon. § 41. *Several pretences to weaken ſuch Canons (to me ſeeming) vain.*

Thoſe plea's alſo, which Biſhop *Bramhall* (*Vind. c.* 9.) makes in anſwer to that objection, [That the *Engliſh* have caſt off Canonical obedience; I ſeem to me very infirm: As this, (p. 257.) 'Since the diviſion of *Brit-*'*tain* from the Empire, no Canons are, or ever were, 'of force with us, further than they were receiv'd, and 'by their incorporation became Britanick Laws. True; as to any Secular coactive power in the execution of them, which is deriv'd only from the Prince. Like unto which is that paſſage, p. 268. 'We draw, or de-'rive, from the Crown, liberty and power to exerciſe 'actually and lawfully upon the ſubjects of the Crown, § 42.

'that habitual jurisdiction which we receive at our Or-
'dination. And that in Reply to B. *Chalced. c.* 7. p 291.
'That Ecclesiastical persons, in excommunicating and
'absolving, are the King's substitutes; *i. e.* (as he ex-
'pounds himself afterward) by the King's application
'of the matter; namely, his Subjects, to receive their
'absolution from such Ecclesiastical persons. No more true, than that any King's Subjects may not lawfully receive Baptism, or turn Christian, without his Licence. Some or other Clergy may and ought to do these things, both Preach, Baptize, Absolve, and Excommunicate, in any Prince's Dominions, as their duty shall require, tho the Prince gain-saying. Of many Clergy capable to do it, that one of them, not another, shall be nominated and admitted to do it, may belong to Princes. Are then the Canons and Constitutions of the Church, made in her representative (a General Council) not obligatory to the several members of the Church, (I mean, as to the extent of Ecclesiastical Censures upon Delinquents,) save where their temporal Soveraign first admits them? What if these be Heathen? What if Heretick? Again, if the actual exercise of their Office be held from the Crown; then have they no authority over any Nation or Province, if the Secular power deny it them: And what Secular power deny'd it not in the primitive times? Or is this a priviledge of Christian Princes only over God's Clergy, not of Heathen? Do Christ's Ministers gain this by converting Kings to the Faith, that they lose their former power over their Subjects? But what if such Christian Prince prove Heretical or Schismatical? What if he silence or banish the Orthodox, are they to obey Him now rather than God? Is their Commission from Christ, to *go and teach all*, and consequently that, *Nation*, upon such a Prince's Edict voided,

ed, or lying dormant? And may they now forbear ſpeaking the things which they have heard? *We cannot but ſpeak* (ſaid the Apoſtle, when the Magiſtrate ſilenc'd them) *Act.* 4.20. The ſame thing may be ſaid of the unlawfulneſs of Princes prohibiting any authorized for this purpoſe by the ſupreme Magiſtrates of the Church-Catholick, from entring their Dominions (except thoſe who are known to be ſent on ſecular deſigns). So (ſuppoſe in a State over-run with *Arrianiſm* or *Socinianiſm*) an Heretical Prince cannot juſtly forbid the entrance of Patriarchal Miſſions to reduce him and his Subjects to Truth. And again, an Orthodox Prince cannot reaſonably exclude ſuch Miſſions, who conſent with him in judgment, and whoſe intendments are ſpiritual.— As this alſo, p. 256. 'The King and the whole 'Body of the Kingdom, by their Legiſlative power ſub'ſtracting their obedience from a juſt Patriarchal power, 'and erecting a new Patriarchate within their own Do'minions, it is a ſufficient warrant to all *Engliſh* men, 'to ſuſpend their obedience to the one, and apply them'ſelves to the other. May then Princes and States, in Eccleſiaſtical affairs, make Laws contrary to thoſe of the Church? Or, have they a Legiſlative power in Spirituals, contrary to General Councils? I had thought their power had in theſe things been only Architectonical; to ſee things done according to the Church-Decrees. And may they nominate Patriarchs contrary to thoſe the Church elects? Or may ſome ſmall part of the Clergy do theſe things againſt all the reſt of their Body? Or, the Prince, or that particular Clergy erring in thus doing, are the people oblig'd to, or excuſed in following, them in their error?— As this, p. 254. 'The 'ſentence of the Law, and the notoreity of the fact are 'ſufficient [*i. e.* for inferiors to deny their obedience

'to

'to Superiors] the ſentence of the Judge [*i.e.* of a Ge-'neral Concil] is not neceſſary. We know who have lately made uſe of ſuch principles, of Inferiors judging of the evidence of laws, and facts, to the confuſion and deſtruction of a moſt flouriſhing temporal Kingdom. Are inferiors then not liable to be miſtaken, and plead clear ſentence of law, and notoreity of fact, where others as judicious think there is no ſuch matter? But whither tends this? That if we find the Patriarch clearly uſurping ſome power the Church-canons have not given him, we are thence-forth free from yeilding any obedience alſo to that authority which the Canon hath given him. Apply this to a temporal Governor, and it ſeems an unreaſonable conſequence. and we are convinced in it by the example of many Nations, who having made reſiſtance to their Patriareh in ſome injunctions, conceived by them not Canonical, yet continue ſtill their obedience in the reſt. Conſider the late conteſt of the State of *Venice*, and the preſent oppoſals both of *France* and *Spain* in ſome matters (See *Vind.*7.*c.*) How can the Biſhop then reaſonably make uſe of thoſe examples, wherein (*Vindic.*7.*c.*) he hath copiouſly ſhewed other Princes, caſting off the Pope's uſurpations and oppreſſions, to have retained ſtill ſubmiſſion to his Supremacy, to prove or countenance, that *Hen.* 8. might lawfully caſt off, both thoſe, and alſo his Supremacy? Eſpecially ſince it cannot be ſhewed, but that it is abſolutely in his power, who hath the ſword, to caſt off only ſo much as he pleaſeth, and retain the reſt. Unleſs the ſword in *England* cannot divide uſurpations and lawful rights, as beyond the Seas now it doth, and did here before *Hen.* 8. but muſt neceſſarily cut off both at once. —As this (*p.*253) "When a Steward choſen in 'truſt by his fellow-ſervants, violates his truſt, and uſurps

'ſurps a dominion *&c*, it is not want of duty, but fide-'lity, [*for ſuch ſervants*] to ſubſtract their obedience from him.— But what, when moſt of the ſervants ſay, he doth no ſuch thing in thoſe matters, wherein the reſt accuſe him; and therefore continue their obedience to him? and alſo the Maſter of the houſe, for the peace of his family, hath ordered, that the reſt in all differences ſhall be ſwayed with the votes of the major part? ſhall not this ſmall part, in departing from the whole, and rejecting their governour, and ſetting up another Steward of their own, or every one aſſuming to be his own Maſter, be held guilty of making a diviſion in the family? —So (*p.*129. and *p.*134.) "Many extortions and 'rapines, and violations of rights, both Civil and Eccle-'ſiaſtical, committed by ſuch Patriarchs,— are urged: But will theſe things, done contrary to the Canon, make a rejection of Canonical obedience to ſuch authority lawful? Is it a good argument, againſt a King; He hath bin tyrannous, or done many things againſt law, therefore depoſe him and his ſucceſſion, or hereafter yeild him no obedience, where due by the laws? Or, againſt Biſhops; They have uſurped ſome unjuſt power, or, otherways much violated their function; therefore root out Epiſcopacy, and yeild no more, tho never ſo Canonical, obedience unto them? Thus, as we have meaſured to others, it hath bin meted to us again. But, if it be meant, That obedience, ſuch as is Canonical, to Patriarchs, infers the violation of any civil rights; the contrary I think is ſhewed elſewhere (in *Authority of Clergy derived from Chriſt*,) more at large, whither I remit you. tho perhaps this may be enough to anſwer it, That General Councils, who made the Canons, were of the contrary opinion to him. Nay, if it ſhould be ſaid, that ſuch preeminences, as, not the Canon

non, but only ſome of the Roman writers, more obſequious to the Papacy, give to the Biſhop of *Rome*, are injurious to Civil rights: yet the Biſhop himſelf, after ſome vehemency againſt them, ſeems to wipe off this aſperſion in ſaying thus. *(Vindic. 8. c. p. 243.)* "The 'beſt is; that they, who give theſe exorbitant privi-'ledges to Popes, do it with ſo many cautions and reſer-'vations, that they [*ſuch priviledges as they give him*] 'ſignify nothing, and may be taken away with as much 'eaſe, as they are given.— Which afterward he ſhews in the particulars of his Infallibility, and his temporal power. Did Popes practiſe therefore only what theſe write, much wrong could not be done. —Again, in his *Replication to Biſhop of Chalced. p.* 230. tis urged, '—That to whom a Kingdom is granted, all neceſſary 'Power is granted, without which a Kingdom cannot 'be governed: and (*p.*238.) that had the *Britannick* 'Churches bin ſubjected to the Biſhop of *Rome* by Gene-'ral Councils, yet it had bin lawful for the King and 'Church of *England* to ſubſtract their obedience from 'the Biſhop of *Rome*, and to have erected a new Primate 'at home amongſt themſelves, upon the great mutation 'of the ſtate of the Empire, and great variation of affairs 'ſince thoſe times.– For to perſiſt *(ſaith he, p.* 241.) in 'an old obſervation, when the grounds of it are quite 'changed; and the end, for which the obſervation was 'made, calleth upon us for an alteration; is not obedi-'ence, but obſtinacy. And, (*p.* 243.) We purſue the 'ſame ends with them, [i.e. *General Councils*] —that is, 'the conforming of the one regiment [i.e. *the Eccleſia-'ſtical*] to the other, [i.e. *the Civil.*] Thus he; for Princes taking away the Biſh. of *Rome's* authority, (ſuppoſing General Councils had conferred any upon him) Yet, *p.* 293. ſpeaking of that clauſe in the oath of Supremacy,

premacy, [*that no foreign Prelates ought to have any juriſdiction within this realm,*] he ſaith, *A General Council is neither included here, nor intended.*) To which tis eaſily anſwered; That there is no Church-canon detracting, from Princes, any of that power, without which a Kingdom is not governable; that the diviſion of one Empire into many Dominions, doth not neceſſarily require any alteration of the Oeconomy of the Church, as appears in thoſe States, which conforming to theſe Canons, ſtill ſubſiſt and flouriſh, without any diſturbance of the civil peace. (But *Quære*, whether the throwing-off theſe Canons, hath not bin the deſtruction of a Kingdom; whoſe ruin took its beginning from diviſions in Religion.) —That the Church's end in conſtituting, I ſay not of Metropolitans or Primats, but of ſuperior Patriarchs above them, and of an Eccleſiaſtical Supreme, (to whom, from ſeveral countreys, might be the laſt appeal of greater controverſies in Religion) was not the conforming of the Eccleſiaſtical government to the Civil, (which end the Biſhop pleads,) but the conſerving of the Church, tho ſojourning under never ſo many temporal Scepters, ſtill as one body and government united in it ſelf, free from being divided and cantonized. Which end is fruſtrated, if ſo many Princes as there are, there become ſo many independent Eccleſiaſtical Supremes. Nay, but rather, the more the Civil Governments are multiplied, the more need there is in the Church of but one, or a few, Supremes. That there may not be ſo many modes or ſects in Chriſtianity, as there are Princes. So *Vindic.p*, 145. Many inconveniences by foreign juriſdiction are urged: That (as the 'Biſhops of *Rome* exerciſed it) it was deſtructive to the 'right ends of Eccleſiaſtical diſcipline, which [*diſcipline*] 'in part is to preſerve publick peace and tranquillity,

'to retain ſubjects in due obedience, and to oblige peo-'ple to do their duties more conſcientiouſly.– (See likewiſe *p.* 146.) To the actual exerciſe of the foreign juriſdiction of Patriarchs I have nothing to ſay: as one Patriarch may uſe it culpably, ſo the next may uſe it juſtly. But the foreignneſs of the juriſdiction is no way guilty of the things here objected. Nay, where are theſe ends of diſcipline more failed, than where this Patriarchal juriſdiction hath bin baniſhed? Do not we ſee in other Kingdoms, not deſerting the Patriarch, the things above-named, both Royalty and Epiſcopacy, peace in the State, and in the Church of ſuch countreys, better preſerved? What former Prince, or Clergy, of this Kingdom, under the Patriarch's obedience, (take him with all his faults,) have ſuffered more, than theſe in our days have done, ſince that yoke broken? What ſubject, trained up in his Principles, hath bin ſo diſobedient? But 2*ly*; Is any one free from a Law or Canon, to eject it, when he can give ſome reaſon that it is inconvenient? Or, did not the wiſdom of thoſe, who eſtabliſhed ſuch Canons, and ſuch ſubordination to Patriarchs, ſee their juriſdiction (for example, in reſpect of *Africk*) to be foreign, and weigh the inconveniences thereof, as well as we now do? but they weighed theſe together with the benefits, ſerving for preſerving unity; for doing more entire juſtice being leſs engaged; for deciding controverſies more truly, being perſons of more eminent wiſdom, enabled with a more ſelected Council, &c. (See before, §.14.) And now have other Nations loſt their reaſon, who, notwithſtanding the foreignneſs of the juriſdiction, in obedience to the Church-canons, ſubmit to this power? "But what if a Patriarch "ſhould change the Bible into an Alcoran, (as he urgeth elſewhere, *Reply to Biſhop of Chalced.*) "ſhould, in Spi-

Spiritual matters miſguide us? I anſwer, when you can find any to obey, who may not be faulty in his government, leave the Patriarch, and go to him. Are we more ſecure, then, under the Supremacy of a Secular power? or of ſome other Archbiſhop? What if the Secular power throw down Biſhops, deſtroy the publick Liturgies, ſilence the orthodox Miniſtry, *&c*? And what if the Archbiſhop change the Bible? or will we be our own Supreams, and blot out the name of Canonical obedience?

In the next place Dr. *Hammond*'s plea (*Schiſm 6. c. p.* 115.) ſeems to me not true, nor his proofs and inſtances ſufficient, and the aſſertion in the conſequences thereof dangerous to the government and unity of the Church Catholick: where he ſaith, 'That it is, and 'hath always bin, in the power of Chriſtian Emperors 'and Princes, within their Dominions, to erect Patriarchats, or to tranſlate them from one city to another. 'And therefore (ſaith he) whatever title is ſuppoſable to 'be acquired by the Pope in this Iſland, upon the firſt 'plantation of the Goſpel here, [*whatever:* I will therefore ſuppoſe his title to have bin from ancient Church-canon and cuſtom, whereby he hath bin confirmed Patriarch of the Weſtern Provinces; I ſay, not that ſuch a thing was, now, but ſuppoſe ſuch a thing were,] this 'cannot ſo oblige the Kings of *England* ever ſince, but 'that they may freely remove that power from *Rome* to '*Canterbury*, and ſubject all the Chriſtians of this Iſland 'to the Spiritual power of that Archbiſhop or Primate, 'independently from any foreign Biſhop.— I ſay, this *Theſis* ſeems to me very untrue; if he mean, That Princes may do any ſuch thing by their own juſt power, without the authoritative concurrence of the Church, § 43.

or contrary to her former Canons and ancient Customs, (as his instancing in *Ravenna* and *Justiniana prima*, and *Carthage*, and *Grado*, formerly under the jurisdiction of the *Roman* Patriarch, imply, that he means thus); For example: I say, it is not lawful, supposing ancient Canons or immemorial custom (to use his own word) of the Church, had made the *Roman* Bishop Patriarch of the West, or of *France*, for the King of *France* either with or without the consent of his own particular Clergy within his Dominions, to erect a new Patriarchate, or elect another Patriarch. This I think is plain from the Discourse and the Concessions preceding. And he seems to say the like himself (*Answer to Schism Disarm'd*, p. 164.) 'A power Princes have to erect Metro-'poles; but if it be exercis'd so as to thwart known 'Canons and Customs of the Church, this certainly is 'an abuse. Thus he. But how it coheres with what else is said there, I see not. But if secular Princes have such power to set up Patriarchs within their own Dominions, I ask, whether General Councils have not also the same; and that within the same Dominions of Secular Princes? Will he deny this power to Councils, or at least their power to do it within the Secular Prince's Dominions? But then the Church hath no power to do it at all. For where are the Church's Subjects, for whom she makes Laws, as she thinks fit, but under the government of some or orther Secular Power? But the contrary of these things is most evident; and many are her canons to this purpose. The Council of *Chalcedon*, the same, upon two Canons of which *Balsamon* founds, and by which the Doctor proves, this authority of Princes to make Patriarchs, did erect *Constantinople* into a Patriarchy next to *Rome* (which also was done before by *Conc. Constant.* 1. but not confirm'd by the *Roman* and *Occi-*

Occidental Biſhops): and this not only to an empty Dignity, or precedency in place, but to a real juriſdiction over ſome of the Emperor's Provinces, to receiving and judging appeals, *&c.* ſee *Conc. Chalc. Act.* 16. and *Can.* 9. and 16. And when the Biſhop of *Rome* much oppoſed this Act of the Council, the Emperor then making *Conſtantinople* the Seat of his Empire, and much deſiring the advancement of its Biſhop, yet appeared not at all in this promoting of him, nor claim'd any ſuch right as due to him; tho this happen'd long after *Valentinian* is pretended to have advanc'd *Ravenna* to a Patriarchſhip, and independency on *Rome.* Nor the Council, in their Letter to *Leo* (ſee *Act.* 3.) pleaded any ſuch power as belonging to the Emperor at all (but to themſelves) only they ſay, *Nos curantes tam piiſſimos & Chriſti amicos Imperatores,* qui ſuper hoc delectantur, *quam clariſſimum ſenatum, &c.* and *ſic enim & pii Principes complacebunt, &c.* This power then cannot with any modeſty be deny'd to Councils. If both of them then have this power, and that in the ſame place (as I have ſhew'd it muſt be) what if they diſagree? Suppoſe the one gives *Rome* juriſdiction over *Ravenna,* the other exempts it, and makes *Ravenna* ſupreme for it ſelf; who muſt be obey'd? If the Prince may reverſe what the Council hath done, then their Canons in theſe Spiritual matters are ſubordinate to his Edicts; then [*Sedes Romana in omnibus & per omnia prima*] (*Conc. Chalc. Act.* 16.) holds no longer than during the Emperor's pleaſure. Then why ſo much courting *Leo*'s conſent for a thing in the Emperor's gift? Or doth Dr. *Hammond* here mean only a power in Princes to make ſome inferior Patriarchs, ſubordinate not only in Dignity, but Juriſdiction to theſe ſupreme ones (as the name of Patriarchs in ſome times hath been communicated to

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inferior Bishops): But then this Thesis of his, if true, will serve little to his purposes, as long as he leaves his Patriarchs under the yoke of a superior? You see how I cast about, and yet cannot set these things streight. The Doctors proofs for what he saith are these:

§. 44. 'The Emperor *Justinian*'s erecting *Justiniana Prima* 'into a Patriarchate, with independency on *Rome*, and 'afterward *Carthage* to the like priviledges: And, the 'Emperor *Valentinian*'s constituting *Ravenna* an inde-'pendant and Patriarchal Seat. To which instances, see what I have said before in this Discourse, § 30. and what authority the Western Patriarch exercised over the Doctor's Patriarchs, both after *Justinian*'s days, and before; which argues either them not made Patriarchs in such an independency on any superior, as the Doctor imagines; or the Emperor's act disobey'd by the Western Patriarch, as contrary to the Canons. As for the reason he gives, to secure the lawfulness thereof, (*Answ. to Schism Disarm'd* p. 112.) ('because never 'check'd at, nor noted as an intrenchment on the juris-'diction of the Church of *Rome* (that we discern, or 'is pretended) either by any Council, or by any Bishops 'of the Church then living:) It seems many ways in-sufficient; because, if there be a Canon prohibiting it, hence it will become unlawful: and many things may be unlawfully done, and yet not actually question'd and condemn'd: And again, may be condemn'd; and yet not this condemnation recorded: Yet is there re-cord enough of the condemning of any such Supremacy in those Bishopricks, in the authority we find used over them still by the *Roman* Patriarch. Next, he urgeth the 12th Canon of the Council of *Chalcedon*, as intimating, that this Prince's making Patriarchs was a frequent (I suppose he means, and allow'd of by the Church) usage

uſage in the Eaſt, at that time. And after this, the 17th Canon *Conc. Chalc.* and *Can.* 38. *Conc. Conſtant. in Trullo.* 'Which Canons (he ſaith *Schiſ. p.* 119.) do 'more expreſly attribute this power to the Prince; or yeild it to be a power belonging to the Prince. But being a little exagitated for this by the Replier; eſpecially when *Balſamon* (whoſe judgment the Doctor much followeth) ſaith, the Church by theſe Canons conferr'd this power on the Prince; he (in his Anſwer to him p. 174) ſaith thus: 'Whether it were from 'God immediately conferr'd on them, and independantly from the Church; or whether the Church, in any 'notion, were the *medium* that God uſed now under 'the Goſpel to confer it on them, truly I neither then 'was, nor now am, inclined, either to enquire, or take 'upon me to determine. Now to ſee what may be deduced from them, in this matter of no ſmall moment, I will tranſcribe you theſe three Canons. —*Conc. Chalc. can.* 12. *Pervenit ad nos, quod quidam, præter Eccleſiaſticos ordines, affectantes potentiam per pragmaticam ſacram* [*i.e.* by an Imperial Conſtitution] *unam Provinciam in duas dividant, ita ut ex hoc inveniantur duo Metropolitani Epiſcopi in eadem, una, eſſe Provincia. Statuit ergo ſancta Synodus deinceps nihil tale attentari a quolibet Epiſcopo. Eos vero qui tale aliquid attentaverint, de proprio gradu cadere. Si quæ vero antea civitates per pragmaticum* [alias, literis Imperialibus] *Imperialem Metropolitani nominis honore decoratæ ſunt, nomine ſolo perfruantur: & qui Eccleſiam ejus* [Civitatis] *regit Epiſcopus* [*i. e.* nomine ſolo Metropolitani perfruatur,] [Salvis ſcilicet veræ Metropoli privilegiis ſuis]. *Privilegio Metropolitano Epiſcopo jure proprio reſervato.*—*Can.* 17. [Statutum eſt, *or* decrevimus, *alias* ſingularem Eccleſiaſticarum ruſticas Parochias] *Per ſingulas Eccleſias ruſticanas Parochias ſive poſ-*

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seſſiones manere immobiles apud eos Epiſcopos, qui eas retinent, &c.—Si vero qualibet Civitas per authoritatem Imperialem renovata eſt, aut ſi renovetur in poſterum, civilibus & publicis ordinationibus etiam Eccleſiaſticarum Parochianarum ſequatur ordinatio.—In another Copy; *Si qua vero civitas poteſtate Imperiali novata eſt* [*i. e.* noviter conſtructa] *aut ſi protinus innovetur, civiles diſpoſitiones & publicas Eccleſiarum quoque Parochiarum ordines ſubſequantur.—Conc. Conſtant. in Trullo, can.* 38. *Canonem, qui a Patribus factus eſt* [referring to this Canon *Conc. Chalc.*] *Nos quoque obſervamus, qui ſic edicit: Si qua civitas a regia poteſtate innovata eſt vel innovabitur, civilem ac publicam formam Eccleſiaſticarum quoque rerum ordo conſequatur.* In the firſt of theſe, *Conc. Chalc. c.* 12. there is the Emperor by his Letters making another City (upon the ambition and ſolicitation of the Biſhop thereof) Metropolitan in a Province, wherein there was a Metropolitan already; but this fact of the Emperors diſallow'd by the Council, as a thing againſt Canon, (which Canon was, as the Doctor acknowledges, That there ſhould be but one Metropolitan of one Province) and order'd, that, for the future, whatever Biſhop ſought ſuch a thing ſhould be degraded; and for what was already paſt, that the City and Biſhop ſhould enjoy the Title of Metropolitan, but none of the Priviledges; but that theſe be ſtill retain'd to the former Metropolitan. When-as the Doctor pretends, it was the Prince's right, both to confer the Title and the Priviledges of Metropolitan on what City he pleaſed. One would think then, according to this the Doctor ſaith, That the Council, if the Biſhop were faulty and offended againſt the Canon, in ſoliciting ſuch a thing, ſhould puniſh him only; another perſon, whom they approv'd, being ſubſtituted in his place to enjoy the rights, which the Prince

Prince had conferr'd upon it; and not, that they ſhould by their authority (as if theſe things were in their diſpoſal, not in the Prince's) continue the Title only, and reverſe the Priviledges, and fix them to their former poſſeſſors. The Biſhop might have been puniſh'd, and yet not the Emperor's act reſcinded by them, as to the new Metropolitans power or priviledges; as it is plain, it was. Yet Dr. *Hammond* makes uſe of this Canon (by ſhewing ſuch things were then done by Princes) to prove, that ſuppoſe the Biſhop of *Rome* were Patriarch of *France*, yet the King of *France* might lawfully make the Biſhop of *Paris* Patriarch, and confer the Pope's priviledges on him. This *S. W.* (replying upon his Treatiſe of Schiſm) wonders at; and the Doctor endeavours to clear all, in following *Balſamon's* judgment, and diſtinguiſhing between the Prince's erecting ſuch a Metropolitanſhip αὐθορμητος, of his own motion, when (he ſaith) it ſtands good: Or upon baſe ſolicitation, when the Council (it ſeems) may reverſe it. But I ask; when ſuch a thing is *done of his own inclination*, ſtands it good, if againſt the Canon [that there ſhould be but one Metropolitan in one Province]? if ſo, what means he to ſay (*Anſw. p.* 164.) 'A Prince's 'power to erect Metropoles, if exerciſed ſo by him, as to 'thwart known Canons and Cuſtoms of the Church, 'this certainly is an abuſe.' And again (p. 165.) 'Such 'power ſtands valid to all effects, if duly exercis'd by 'him, without wrong to any, [*i.e.* other Metropolitan.] As for that which is urged from the Canon of a Council held under *Alexius Comnenus*, an Eaſtern Emperor after 1080, what is eſtabliſh'd by ſuch a Synod, not General, is too weak to overthrow any former rights of the Church. Neither is *Balſamon's* (a later *Greek* Writer's) authority much to be ſtood upon in this controverſie.

ſie. Neither ſpeaks he home in this point, whether the Patriarch is to admit what the Emperor doth ὑποθῆται after he hath repreſented to the Emperor, that it is againſt the Canons. Thus much of the 12th Canon. In the 17th Canon, and the 38th *in Trullo*: Here is only (upon the Emperor's building a new City, (or perhaps upon his transferring the Civil right and priviledges of having the ſeats of Judicature, *&c.* from one City in a Province unto another), and upon this ſubjecting ſome other inferior Cities or Towns (call'd *Parochia's*) when being the juriſdiction of an ordinary Biſhop, (ſee *Hammond Schiſm* p. 57.) unto it); the ſubjecting alſo of the Biſhops of thoſe *Parochiæ* under that City, to the Biſhop of that City. Where note, Firſt, that theſe Canons ſpeak only of the ſubjecting of Parochial Biſhops to new Metropolitans, where new Cities are builded; and not of altering any thing in the juriſdiction of old; which the 12th Canon of the ſame Council ſo expreſly oppoſeth. Secondly, Only of ſubjecting Parochial Biſhops to new Metropolitans; not of ſubjecting Metropolitans to new Patriarchs, nor yet to new Primates. For 'tis moſt clear, that this very Council, that made this Canon, never dreamt of any power the Emperor had to erect a new Patriarch (as I have ſhew'd before § 43.) and much leſs *Leo* the Biſhop of *Rome*, who confirm'd theſe Canons; yet vehemently oppoſed the Council ſeeking to erect *Conſtantinople* into a Patriarchy; much more would he have oppoſed the Emperor. Thirdly, Whatever priviledge the Emperor here receives; methinks their ordering that ſuch a thing ſhould be done [*ſubſequatur*] is far from ſounding, that they yeilded ſuch a thing to belong to the Emperor by right, as Dr. *Hammond* expounds it (*Schiſ.* p. 119.) But then, if the Emperor hold ſuch

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priviledge from the Church, the Church, when they pleaſe, may reſume this power; for ſo himſelf argues, concerning any priviledges which Secular Princes have formerly conceded to the Biſhop of *Rome*; and then hear, what the 21th Canon of the 8th General Council ſaith (if we will truſt later Councils, not far diſtant in time, better to underſtand the conceſſions of former), *Definimus neminem prorſus mundi potentium quenquam eorum, qui Patriarchalibus ſedibus præſunt, inhonorare, aut movere a proprio throno tentare. Sed omni reverentia & honore dignos judicare, præcipue quidem ſanctiſſimum Papam ſenioris Romæ, &c.*

As for the things mention'd afterward by the Doctor, (p. 120, *&c.*) the power of changing the ſeat of a Biſhop, or dividing one Province into many; as likewiſe, the preſenting of particular perſons to ſeveral Dignities in the Church, which alſo private Patrons do, without claiming any ſuperiority in Church-matters, (ſome of which ſeem of ſmall conſequence as to Eccleſiaſtical affairs): Yet are not theſe things juſtly tranſacted by the Prince's ſole Authority, without the approbation firſt of Church-Governors: But the ſame things may be acted by the Church alone, the Prince gain-ſaying; if he be either Heathen or Heretick, (which alſo ſhews his power when orthodox, in the regiment of the Church, to be only executive and dependent on the Eccleſiaſtical Magiſtrate's). No perſons are, or at leaſt ought to be put into any Church-dignities, without the authoritative conſent and concurrence of the Clergy; who, if they reject ſuch perſons (tho preſented by Princes) as unorthodox, or otherwiſe unfit, they cannot be inveſted in ſuch Offices. Hear what the 8th General Council ſaith of this matter, *Can. 22. Sancta & univerſalis* § 45.

ſalis Synodus definit, neminem Laicorum principum vel potentum ſemet inſerere electioni vel promotioni Patriarchæ, vel Metropolitæ, aut cujuſlibet Epiſcopi, ne videlicet, &c. Præſertim cum nullam in talibus poteſtatem quenquam poteſtativorum vel cæterorum Laicorum habere conveniat.–Quiſquis autem ſæcularium principum & potentum vel alterius dignitatis Laicæ adverſus communionem ac conſentaneam atque Canonicam electionem Eccleſiaſtici ordinis agere tentaverit, Anathema ſit. The tranſplanting of Biſhopricks, and diviſion of Provinces, probably was never order'd by Princes; but either firſt propos'd, or aſſented-to, by the Clergy (ſee that inſtance of *Anſelm, Hammond* of *Schiſ.* p. 122.) or upon ſome more general grant, indulgently made to ſome pious Princes from the chief powers of the Church. Tho Hiſtorians commonly in relation of ſuch facts, mention only the King's power, as by whoſe more apparent and effectual authority ſuch things are put in execution: in which things negative arguments [that ſuch perſons, as are not mention'd, did not concur; eſpecially when they are mention'd to concur in ſome other acts of the ſame nature] are very fallacious. But imagine we once the power of erecting Patriarchies and Primacies, and by conſequence of the beſtowing and transferring the ſeveral priviledges thereof, ſolely caſt into the hands of a Secular Prince, and then this Prince not orthodox (a ſuppoſition poſſible); and what confuſion and miſchief muſt it needs produce in ſuch a body as the Church; ſtrictly tyed in Canonical obedidience to ſuch Superiors, and ſubmitting to their judgment, and deciſions, in ſpiritual matters; by which the King may ſway the controverſies in Religion, within his own Dominions, what way he pleaſeth; unleſs we will imagine, there ſhall be no Eccleſiaſticks at all of his own perſwaſions, whom he may ſurrogate into the places

places of those who gainsay. Such were the times of *Constantius*. And by such violent and uncanonical expulsion and intrusion of Prelates, the face of Religion was seen changed and re-changed so often here in *England* within a few years (according to the fancies of the present Prince), as if there were in her no certain form of truth. And the same thing we have seen done before our eyes in our own days: The removing, inducting, deposing, promoting Ecclesiastical persons, as the Secular power pleaseth; being also a changing of the Church's Doctrine as it pleaseth. Thus much to what Dr. *Hammond* hath said, *Schis. p.* 120, *&c.*

§ 46. Lastly, (*Schis. p.* 125.) he makes three instances; in the fact of the Kings of *Judah*; in the fact of St. *Paul*; and in the fact of the Christian Emperors; tending to this purpose, that their authority is supreme in Ecclesiastical causes, as well as Civil, and therefore may erect Patriarchies. His words there are: "The authority 'of Kings is supreme in all sorts of causes, even those of 'the Church, as well as Civil,—as appears among the 'Jewish Kings in Scripture: *David* ordering the courses 'of the Priests: *Solomon* consecrating the Temple: *He-*'*zekiah* (2 *Chron.* 29.—2 *King.* 18.) and *Josiah* (2 *King.* '22.) ordering many things belonging to it. And so 'St. *Paul* appeal'd from the judgment of the chief Priests, 'to the Tribunal of *Cæsar*. So in the βασιλικα, the 'whole third Book is made up of *Justinian's* (*i. e.* the 'Emperor's) constitutions, *De Episcopis, Clericis & Sa-*'*cris*. And the Canons of Councils have (mostly) 'bin set out (and receiv'd their authority) by the 'Emperors.

Concerning the first instance here, of the Kings of the *Jews*; I must remind you of what Dr. *Hammond* hath

hath conceded, ſet down before, §.46. That Kings are ſo Supremes in Eccleſiaſtical matters, that they have no negative voice in the decrees of Councils; ſo that *David*, *Hezekiah*, &c, if we ſpeak only of their Kingly, not of a Prophetical, power, did (nor could lawfully do) nothing of all that they did about the Prieſts, or the Temple, contrary to the orders and rules of the Prieſts: but only according to theſe, in which they had always the Prieſt, not oppoſing but, concurring with them in all their new models or reformations, (as is ſhewed elſewhere in *Authority of Clergy derived from Chriſt*, p. 47.) tho the King, as the chief Executioner (and perhaps firſt motioner alſo) of ſuch deſigns, is ſingly named. But if Dr. *Hammond* callenge to the Prince more authority than this, for ſome Eccleſiaſtical matters; namely, *thoſe of external order*, (as he calls them, *Anſw. to Schiſ. diſar.* p. 187, and 195.) and urgeth (*Schiſ.* p. 124.) a ſaying of *Conſtantine's* to that purpoſe; (*Euſeb. de vita Conſtant.* 4.*l.*24.*c.*) Ὑμεῖς μὲν τῶν ἔσω ἐκκλησίας, ἐγὼ δὲ τῶν ἐκτὸς ὑπὸ θεοῦ κατάστασιν ἐπίσκοπος ἀνείλημμαι: which he tranſlates, *Ye are Biſhops of the Church, for thoſe things which are celebrated within it; but, for external things, I am conſtituted Biſhop by God.* As if Princes may govern and adminiſter theſe, without, or againſt, the judgment of the clergy: then I demand; Whether erecting Patriarchates, ſubordination of Biſhops, Metropolitans, Primates, &c, ordering of their Councils how often to be kept, by whom called, directing of Appeals, Faſts, Feſtivals, &c, be reckoned by him ſuch *things of external order*? If they be; then General Councils in ordering theſe things, (for example, the *Nicene* Council in compoſing their 6th *Canon*,) either were only the Prince's deputies and inſtruments, and all ſuch canons were void without his ratification; or elſe they uſurped an au-

authority not belonging unto them: for their canons we find full of such orders. But if they be not; then Dr. *Hammond*'s *external orders* will be nothing to the matter he is discoursing of. As for the words of *Constantine*; it seems plain to me by the chapter preceding, that he speaks here of his playing the Bishop over those *persons* who were without the Church; both *gentes subjectas Romano imperio, & legiones*; *quibus* (saith *Eusebius* by the Emperor's injunctions) *Idololatriæ fores clausæ erant*; *repressumque quodvis idolis sacrificandi genus* &c, over which persons the Bishops of the Church had no authority; and I conceive the words ought to be rendred thus. *Ye are Bishops* μετ' αὐτῶν, *for or amongst those*, [*persons*] I say; S. W. saith [*affairs*] *which are within the Church, but I am Bishop for the persons or affairs without the Church.* But the Doctor's translation seems forced, both to the words, and to the context: in which I appeal to any, that will take the pains to consider the words, and to view the place. Besides that, I see not how the Emperour can call the prohibition of sacrificing to Idols, the observing of the Lord's day, *&c*, things of *external order*, as the Doctor will have them.—

Concerning the second; S. *Paul*'s appeal from the the High-Priest and the Sanedrim to *Cæsar*, (by which the Doctor seems to justifie such Supremacy of the Prince above the clergy, that from the highest court of Ecclesiasticks, in matters Ecclesiastical, appeals may be made to him, and to him, tho an infidel,) I demand, Whether the H. Priest and Sanedrim were the highest Ecclesiastical Court, or Council, by God at that time appointed for deciding the controversies of Religion, (such as S. *Paul*'s is by him supposed to be) or no. If it were; then ought the controversy at *Antioch* to have bin brought before them, and not before the Council of

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the Apoſtles: If it were not; then the Doctors inſtance fits not his purpoſe. But, the Apoſtle here accuſed of ſedition, and, before any judgment given, laid wait for to be killed by his very Judges, who juſtified him, in ſome part, for his religion, [*the tenent of the reſurrection,*] appeals to the Sovereign power for his neceſſary protection, from the violence of thoſe, who, in Spiritual matters, had no reaſon to judge him. As for any appeal, in theſe matters, from the higheſt Eccleſiaſtical court to ſecular Princes, it hath bin often prohibited to the clergy in ſeveral Councils, (ſee before, §. 9.) and is ſo, as I conceive, by S. *Paul* (1 *Cor.* 6. 1,6.) to unbelieving Princes, ſuch as *Cæſar* was.

To the third, the Emperors conſtitutions, ſuch as are in matters purely Eccleſiaſtical, tis ſufficient to ſay, that ſuch never were contrary to any laws of the Church; or when they were ſo, were ſo often void, in Dr. *Hammond*'s judgment; who grants the Emperor to have no negative voice in Councils, *i.e.* to annull any of their conſtitutions; but ſurely he annulls them, who lawfully enacts contrary. Such therefore were his Eccleſiaſtical conſtitutions, (ſo far as lawful,) as that the clergy conſented to, or at leaſt diſſented not from, them. Which ſhews the legiſlative power primarily in them, not in him. For there cannot be two Lawgivers in the ſame matters, over the ſame perſons, both whom they ſhall be obliged to obey, unleſs they can obey contradictions. Therefore if the Emperor in theſe Church-matters have no negative voice in reſpect of the decrees of Councils, they muſt needs have a negative voice in reſpect of the decrees of Emperors; and ſo how much of his laws they diſallow, or deny, is cancelled. As for the other expreſſion, [*that Canons of Councils moſtly receive their authority by Emperors,*] ſee before, §. 40.

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how *S.W.* hath cauſed the Doctor to explain himſelf, in his anſwer to *Schiſm diſarmed.*

Thus much from § 38. concerning that propoſition, [That whatever Authority the Church Canons and Cuſtoms have given to any Eccleſiaſtical perſon, cannot be annull'd, *&c.* by Seculars; and, That it is Schiſm to oppoſe any authority ſo eſtabliſhed]. Next; This propoſition alſo I think undeniable: That none may ſubſtract obedience from any in matters, where it is due, becauſe ſuch perſon requires alſo obedience in matters, where it is not due: But, that whilſt the one is oppoſed, the other ought to be yeilded. Therefore ſhould the Patriarch make a breach upon the Civil rights of Princes, or their Subjects, theſe may not hence invade his Eccleſiaſtical: And if the Prieſt (Patriarch, or Biſhop) would in ſome things act the Prince, therefore may not the Prince juſtly take upon him to act the Prieſt; or to alter any thing of that Spiritual Hierarchy eſtabliſh'd by Chriſt, or by the Church; much to the good, but nothing at all to the damage, of Temporal States. If any thing happen to be unjuſtly demanded, it excuſeth us not from paying juſts debts. The Office muſt not be violated for the fault of the Perſon. Neither can never ſo many examples, brought for ſuch things, done by Princes, be a ſufficient warrant to any Prince, to do the like; much leſs, to advance beyond ſuch patterns, and do ſomething more. See before § 42.

§ 47. *That obedience due may not be withheld upon Governors undue claims.*

§ 48. *That Eccleſiaſtical Councils may change their former Eccl. Laws, tho Lay-Magiſtrates may not.*

After theſe, a third propoſition muſt alſo be granted: That tho Seculars, Princes or others, cannot; yet Councils may, change ſome former Eccleſiaſtical Laws and Cuſtoms; and when they do ſo, are to be obey'd in

their change. Therefore the [τὰ ἀρχαῖα ἤδη κρατείτω] in the *Nicene* Council, and [*Jura, quæ jam inde ab initio habent, ſerventur*]; and [*nullus invadat Provinciam, quæ non prius atque ab initio ſub illius fuerat poteſtate*] in the *Epheſine* Council (frequently preſs'd by Dr. *Hammond*, ſee *Sch.* p. 61, 65, 100.) ſo far as theſe refer not to Apoſtolical traditions, but Eccleſiaſtical conſtitutions, muſt be underſtood to oblige all the Church's ſubjects only ſo long, till the Church ſhall think fit to change any thing in them. Nor did they hinder, but that afterward ſhe advanc'd (the *Roman* Church at laſt yeilding alſo her conſent) the See of *Conſtantinople* (contrary to ἀρχαῖα ἤδη) both before *Alexandria* and *Antioch*, into a Supremacy, the next to *Rome*. In whoſe power it is (as in Secular Law-givers) to alter her Laws at pleaſure. Nor can any G. Council decree, that no General Council after them (in matters of humane inſtitution) ſhall change their Decrees. Nor can any particular Church claim that liberty unto them by any former Canons, of which by later Canons (made by the ſame authority) they receive a reſtraint.

§ 49. *That Prelates, and others, ſtand obliged to thoſe Church-Canons, which in a ſuperior Council are made with the conſent of their Predeceſſors, till ſuch Councils ſhall reverſe them.*

The truth of this fourth propoſition alſo I think ought not to be doubted of; That where the Biſhops or Metropolitans (ſuppoſe ſubjected to no Patriarch) yet are preſent in Councils preſided in by one, or more Patriarchs, and do conſent to the Decrees thereof; ſuch Provinces, and the Prelates thereof, ſtand obliged to thoſe Decrees; and canno tafterward at pleaſure reverſe them, and reſtore to themſelves their former liberty. Elſe Metropolitans, who are under no Patriarch, will be liable to the Decrees of no Councils at all; no not of ſuch, wherein they appear, wherein they vote, wherein they oblige themſelves. But, ſuppoſing, they are as

as free as Patriarchs themſelves; yet where in Councils many Patriarchs meet, the vote of the major part obligeth all. (Review what is ſaid before § 18.)

§ 50. *Reflections on what hath been ſaid.*

Now to make ſome Reflections (if you have not made them already) upon what hath been diſcourſed here, in relation to the Church of *England*.

§ 51. *That the Church of* England *ſeems obliged in as much obſervance to the* Roman *See, as the former inſtances have ſhewed the Orientals to have yeilded to it.*

1. It cannot reaſonably be denied, that (ſuppoſing ſhe had not receiv'd her Converſion from the See of *Rome*, nor the *Nicene* or other Canons had conſtituted the Biſhop of this City ſole Patriarch of the Weſt (of which thing review what is ſaid before § 3.) yet) ſhe is bound to render ſo much not only honour, but ſubmiſſion alſo, to that See (for what cauſe ſoever it was, that ſuch was given to that laſt Seat of the two great Apoſtles *Peter* and *Paul*, as it hath been ſhew'd by the inſtances made above, in thoſe primitive times,) that the whole Church of God, the Oriental Churches and Biſhops, the Patriarchs themſelves, and even *Cyprus* (ſo much pleaded; concerning which review § 18.) have render'd unto him, in appeals, deciſion of controverſies, approbation of Prelates, Eccleſiaſtical cenſures, *&c.* For example: If the rule (ſpoken of § 22.) [*præter*, or *ſine*, *Romano Pontifice nihil ſiniendum*] have any obligation upon the Oriental, the ſame it will have upon the *Engliſh*, Biſhops, or Synods. And the ſame power the *Roman* Biſhop hath of receiving or hearing Appeals (ſuppoſe from *Alexandria*, as in *Athanaſius* his cauſe; review § 21.) the ſame he hath in thoſe from *England*: For what exemptions can *England* plead, more than *Alexandria*?

§ 52. *That the Church of* England *ſeems obliged to yeild the ſame obſervance to the* Roman *See, as other Weſtern* Provinces, *upon the 6th* Nicene *Canon.*

2. Yet farther; There ſeems to be the ſame ground of her ſubmiſſion to him as Patriarch (however this ſubmiſſion be founded) as of other Weſtern Provinces, her Neighbours; who ſtill continue obedience to that See. And the *Mos antiquus obtineat*, ſeems to put all the Occidental coaſt of the world, who ever were then already, or whoever thenceforward ſhould be, converted, under his juriſdiction, (ſee § 3). In which Canon, as not *Brittain*, ſo no other Weſtern Province, is particularly nam'd; tho it appears, from ſome inſtances above, that before *Nice*, both *Spain*, and *France*, and *Africk* were Chriſtian, and ſubject to the Roman See, (ſee § 6.) And then was the *Britiſh* Nation alſo already Chriſtian; three of its Biſhops being preſent at the Council of *Arles* in *France*, ten years before this of *Nice*, (ſee *Hamm. Sch.* p. 110.), and many ſuffering Martyrdom here in *Dioclesian's* days; amongſt the reſt, the famous St. *Alban*. And the Arms of *Lichfield*, repreſenting many mangled Bodies, are ſaid to be born in remembrance of the many Chriſtians, who in that perſecution ſuffer'd there. Chriſtian yet higher; before *Tertullian's* and *Origen's* time, who teſtifie ſo much of it, (*Orig. in Ezech. Hom.* 4. *Quando terra Britanniæ ante adventum Chriſti in unius Dei conſenſit religionem? Quando terra Maurorum?* &c. *Nunc vero, propter Eccleſias, quæ mundi limites tenent, univerſa terra cum lætitia clamat ad Dominum Iſrael.* Tertull. adv. Judæos, c. 7. *Cui* [Chriſto] *crediderunt,—jam Getulorum varietates & Maurorum multi fines, Hiſpaniarum omnes termini, & Galliarum diverſæ nationes, & Brittannorum inacceſſa Romanis loca, Chriſto vero ſubdita*; ſee alſo his *Apologet.*) Chriſtian in the days of *Eleutherius* Biſhop of *Rome*, *A. D.* 183. ſaith Venerable *Bede*, *Hiſt. Ang. l.* 1. *c.* 4. At which time, (Chriſtianity, by the late favourable Edicts of *Antoni-*

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nus Pius, and *Marcus Aurelius*, enjoying much tranquillity), one *Lucius* or *Leuer Maur*, a King of ſome part of *Brittain*, bearing ſome affection to the Religion of Chriſtians, from their good converſation which recommended it, and alſo for the miracles which confirm'd it, is ſaid to have ſent two learned men, *Elvanus Avalonius* [or of *Glaſtenbury*], and *Medvinus de Belga* [or of *Wells*], to the Biſhop of *Rome*, to deſire from him, ſome holy men to inſtruct him in Religion; and ſome Roman Imperial Laws to direct him in his Civil Government: Which Biſhop ſent to him *Fugatius* and *Damianus*, by whom this King, and his Queen, and many others, were converted to the Faith, and receiv'd Baptiſme *&c.* Where, his having already with him men learned in the Scriptures, (ſee *Spelm. Apparat.* p. 12.) and yet ſending for others from the *Roman* Biſhop; and his ſending to the Biſhop of *Rome* ſo remote, when as there were then many Chriſtian Biſhops in *France*, and particularly the famous *Irenæus* Biſhop at *Lions*, at that very time, (methinks) ſhew plainly, that the *Britains* had learned already, that there was ſome preeminence and authority attributed to him, ſuperior to the reſt of the Occidental Prelates. as likewiſe doth the title of that Biſhop's letter to *Lucius*, (but it is much doubted whether this letter be authentick); *Scripſit Dominus Eleutherius Papa Lucio Regi Britanniæ, ad correctionem Regis, & Procerum regni Britanniæ*; others read it, *ad petitionem*. In which letter, whereas it is urged (ſee *Hammond Schiſ.* p. 109. and *Bramh. vindic.* p. 155.) that he calls the King *vicarium Dei in regno ſuo*; tis to be obſerved, that he ſtiles the King ſo, before he was Chriſtian; and ſeems to urge it in reſpect of civil laws; which laws the King deſiring that they would ſend unto him from *Rome*, the Biſhop adviſeth him with his Coun-

Council rather to take them out of the Bible, the law of God, whose Vicar he is, than out of the *Roman* or *Cæsars* laws. But let it be granted in Ecclesiastical matters also that he is *Vicarius Dei*, that is, in promulgating the Ecclesiastical laws, and enforcing them upon his subjects, with the denouncing of temporal punishments; but not in making them; for this the Bishop of *Rome* cannot alienate from Synods to Princes. Christian, yet higher, in the days of *Tiberius*: *Interea glaciali frigore rigenti Insulæ* [Britannicæ] *verus ille Sol universo orbi præfulgidum sui lumen ostendens, radios suos primum indulget, id est, præcepta sua, Christus. Tempore (ut scimus) summo* [extremo] *Tiberii Cæsaris; quo* [tempore] *absque ullo impedimento, ejus propagabatur religio, indicta* (*Senatu nolente*) *a Principe morte delatoribus militum ejusdem*; [*Christianorum,*] alluding to *Hegesippus* his story of *Tiberius.*] Thus saith *Gildas*, a *Britain*, who writ in the end of the 5th age; and therefore why may not *mos antiquus*, concerning the presidency of the *Roman* See over the West, be meant of this, as well as the other anciently-Christian Provinces there? But when ever *Britain* first became Christian, tho such were after the passing of that canon of *Nice*, yet many converted since the last conversion of the *Saxons* here in *England* (as the *Germans*, and some other Northern nations, some of them converted by the *English*) have also come under the jurisdiction of that See upon the same account; namely of this Bishops having committed to him the primacy over the whole Church, or at least the Patriarchate of the whole West. And therefore *Austin* the Monk required subjection to this Bishop, not only of the *Saxons*, as converted by him; but also of the *Britains*, who were Christian before: *subjection*, not upon this title of conversion, but from the submission which

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was thought otherwise due to this prime Apostolick See. [The judgment and actions of which holy man (by this Nation to be had in eternal veneration) ought not so easily to be condemned or slighted; since he was blessed here with such success, and honoured by God with so many miracles. Of which miracles of his, and his companions, *Gregory*, who sent him, overjoyed, writes thus to the Patriarch of *Alexandria*, *Ep. 7. l. Indict. 1. 30. Ep.* —*Jam nunc de ejus* [Augustini] *salute & opere ad nos scripta pervenerunt; quia tantis miraculis vel ipse, vel hi qui cum eo transmissi sunt, in gente eadem coruscant, ut Apostolorum virtutes in signis, quæ exhibent, imitari videantur.*— And to *Austin*, thus in another Epistle, (*9. l. 58. Ep.*) exhorting him to the preservation of his humility in receiving so high favours. —*Scio quod potens Deus per dilectionem tuam in Gente, quam eligi voluit, magna miracula ostendit; unde necesse est, ut de eodem dono cœlesti, & timendo gaudeas, & gaudendo pertimescas*, &c.]

But if it be replied, that many of the Western Nations were originally converted by that See, (and therefore may seem anciently to have had a nearer relation to, or dependance on, it:) but not so this Island; yet

§. 53.

That this Nation chiefly (if not only) owes its conversion to the Roman See.

3. This title of Conversion seems not wanting (so much as is pretended) for the plea of the *Roman* Jurisdiction. For 1. for all the rest of this Nation, except the ancient *Britains*, namely for the *Saxons*, and those other invaders, who followed them, this title is not disputed. so that, what was Pope *Innocent*'s pretence (see before, § 3.) concerning other parts of the West, may be *Gregory*'s, and his Successor's, concerning the chief body of this Kingdom, (supposing that the Church's customs

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ſtoms or canons did entitle any authority upon this ground): and for whom the *Roman* See hath performed the ſame maternal and fundative offices as for the reſt of the Weſt; it ſeems not unreaſonable, that they ſhould return her the ſame duty, as do the reſt. To that objection of Dr. *Hammond* (*Schiſm* p. 114.) in behalf of theſe *Saxons* liberty; "That S. *Paul's* and his Subſtitute's converts, yet were not all ſubjected to one and the ſame See; it is granted to him, That converſion doth not of it ſelf *neceſſarily* induce ſubjection to the converter, or to his See: but nevertheleſs tis as true, That the Church (upon whoſe cuſtoms and canons ſuch ſubjection is pleaded) in her appointing ſome chief and Patriarchal Sees, for the preſerving by ſuch ſubordinations unity and peace amongſt her ſeveral members, hath uſed this of converſion, as a chief motive (tho not this always, or the only, motive) to ſubject ſeveral Churches rather to ſuch a Mother-church, than to another. See before, § 6.)

§. 54. *n.* 1. 2. This for the *Saxons*, and others, whoſe race moſtwhat we *Engliſh* are, But then for the *Britains* alſo, it ſeems, That tho their converſion might have its firſt beginning in *Tiberius* his reign, or very early; yet it was for the moſt part of it wrought in latter times by ſeveral degrees, after their ſubjection to the *Roman* Empire, either by Chriſtians, who flowed in hither from *Rome*, and *Italy*, and other Provinces nearer hand, (eſpecially in times of perſecution,) with the *Roman* Officers and Lieutenants, (ſome of which before, were favourers, and after *Conſtantine*'s time, were alſo profeſſors of Chriſtianity, as amongſt the reſt *Theodoſius*, who was *Valentinian*'s Lieutenant here, before Emperour): or by ſeveral Miſſions from the Pope of *Rome* made

made either to plant and propagate Christianity in these Islands of *Britain* and *Ireland*, or to reform it.

Such was that Legation of *Fugatius*, and *Damianus*, mentioned before, § 52. and such that, afterward, of S. *Germanus* a *French* Bishop, famous for learning and sanctity, about *A. D.* 430. whom (as *Prosper*, a *French* Bishop, who lived also in those times, relateth) Pope *Celestin*, hearing that *Pelagianism* had gotten some footing in this Island, sent hither for the suppression thereof. *Prosper's* words are *in Chronico*; —*Pelagianus, Severiani Pelagiani Episcopi filius, Ecclesias Britanniæ dogmatis sui insimulatione corrupit*; *sed, ad actionem Palladii Diaconi, Papa Cælestinus Germanum Altisiodorensem Episcopum vice sua mittit, ut deturbatis Hæreticis Britannos ad Catholicam fidem dirigat.* *Vice sua*, as his Legat; as if the care of such reformation did some way especially concern the Pope; *ad actionem Palladii*, at the suite and request of *Palladius*, a zealous opposer of, and writer also against, *Pelagianisme*. In this Legation, another holy *French* Bishop, *Lupus*, is mentioned also to have accompanied *Germanus* into *Britanny*; of which two Bishops *Bede* indeed (*Hist.* 1. *l.* 17. *c.*) delivers the story thus: That, upon the request of the *Britain* Clergy (so unwilling to receive *Pelagianism*, as unable sufficiently to confute it) these two Bishops were sent hither by a Council in *France*. But, what *Bede* saith, being taken out of *Constantius*, one who writ at a greater distance from *Germanus* his times than *Prosper* did, is liable to the more doubt. and 2*ly*, this may well consist with what *Prosper* saith; since all those Occidental Synods had a subjection to the Western Patriarch, and might receive directions from him. The same *Prosper* saith, that the forementioned *Palladius* was, by the same authority, § 54. *n.* 2.

and care of the ſame Pope *Celeſtine*, ordained Biſhop, and ſent into the more Northern parts of this Iſland, to the *Scots*. —*Ad Scotos in Chriſtum credentes ordinatur a Papa Celeſtino Palladius, & primus Epiſcopus mittitur.* See the ſame in *Bede*, 1. *l.* 13. *c.*

Beſides theſe *Germanus* and *Palladius*, *Bede* and others make mention of *Ninyus* a *Britain*, who finiſhed his ſtudies at *Rome*, and was made Biſhop, and ſent from thence, not long after the other, for the converſion of the *Picts*, a Nation lying between the *Scots* and *Britans*. *Epiſcopus Reverendiſſimus, & Sanctiſſimus vir, de natione Britonum, qui erat Romæ, regulariter fidem & myſteria veritatis edoctus*, ſaith *Bede*, *Hiſt.* 3. *l.* 4. *c.* —*Quem, audiens Romanus Pontifex quoſdam in occiduis Britanniæ partibus necdum fidem Chriſti ſuſcepiſſe, ad Epiſcopatus gradum conſecravit, & præmiſſa genti, data benedictione, Apoſtolum deſtinavit.* (*v. Broughton's Monaſticon Briton.* 7. *c.* and *Capgrave Catal. Sanctorum.*) Likewiſe *Patricius*, who finiſhed the converſion of the *Iriſh* begun by *Palladius*, is ſaid to have received his education, and learnt his Divinity from *Germanus*, and *Lupus*; and going to *Rome*, and there made Biſhop, *accepiſſe ab Apoſtolica Sede ad ejus Gentis converſionem Apoſtolatum.* (*V. Baron*, A.D. 431. *Sigebert Chronol.* and Sir *H. Spelman* A.D. 449. who out of *Matt. Weſtmon.* ſaith, both of *Palladius* and *Patricius*, *ad Britanniam perveniſſe miſſos a Papa Celeſtino, ibiq; prædicaſſe verbum Dei.*) *Dubritius* alſo, the firſt Archbiſhop of *Caerleon* that we know of, (to which Archbiſhop only the *Britiſh* clergy, in their conference with *Auguſtin*, acknowledged their ſubjection,) was another Diſciple of *S. Germanus*; and by him, and *Lupus*, with the conſent of the King, and a Synod of the Clergy, conſecrated Biſhop, and poſſeſſed of this Archbiſhoprick. See *Spelman* A. D. 512. and *Apparat.* p. 25. and

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in the ſame manner did this *Britiſh* Archbiſhop receive his Commiſſion from *Germanus*, ſent by the Roman See, as the *Engliſh* Biſhops from *Auguſtin*; by the perſuaſion of which *Engliſh* or *Saxon* Biſhops alſo, afterwards both the *Scots*, and ſome at leaſt of the *Brittains*, about A.D. 700, were reduc'd from thoſe errors, whereof *Auguſtin* had taxed them, and conformed to the Cuſtoms of the Church Catholick. *V. Bede Hiſt. l.* 5. *c.* 16, 19, 22. Several of which *Engliſh* Clergy alſo in thoſe days travel'd to *Rome*, the more perfectly to learn the Laws and Cuſtoms of the Apoſtolick See; or alſo there to receive their Ordination. and St. *Wilfrid*, among the reſt, went thither three ſeveral times, and ſate there alſo in a Synod, and being twice ejected out of his Biſhoprick, twice had his cauſe heard there, and was twice reſtor'd by the Pope's Letters. See theſe things in *Bede*'s *Hiſt. l.* 5. *c.* 20, 21.—*l.* 5. *c.* 12.–*l.* 3. *c.* 4, 7, 29. –*l.* 4. *c.* 1. Theſe particulars I have ſet down, to ſhew the care, intereſt, authority, eſteem, which the *Roman* Biſhops had in theſe two Weſtern Iſlands in all thoſe ancient times, wherein Hiſtory gives poſterity ſome light to know, what was done in them.]

But next; however theſe things be: Yet ſuppoſing only then the ſubjection of the *Saxons*, and the *Engliſh* Clergy (upon this title of Converſion), to the Roman See, it ſeems the *Brittains*, for the preſent, can claim no liberty from the ſame ſubjection; becauſe thoſe in *Wales* being ſubject to the Biſhop of *Carleon*, or afterward to St. *Davids*; and St. *David's* being ſubject to *Canterbury*; [I ſuppoſe this Canonically done; of which ſee Sir *Hen. Spelman*'s *Appar. p.* 26. that it was order'd ſo by a Council at *Rhemes*, and by the Pope; to both which were made Addreſſes about it. As for the Bri- § 54. *n.* 3.

bery that is by ſome ſuppoſed in it; I ſee no reaſon why it ſhould not be judg'd an uncharitable ſuſpition, being a thing every where imputable, when rich and poor contend;] ſubjected alſo at that time, when *Canterbury* was profeſſedly ſubject to *Rome*, in the Reign of K. *Hen.* I. Hence it follows, I ſay, that theſe *Brittains* muſt needs be ſubjects alſo to that See, to which muſt *Canterbury* is ſubject; and that Church, hath which any Juriſdiction over *Canterbury*, will alſo have the ſame over St. *David's*; (ſuppoſe in Appeals, or the like). And again, thoſe *Brittains* who were out of *Wales*, diſpers'd among the *Saxons*, becoming ſubjects to the *Saxon* Biſhops there, who were the Pope's ſubjects, muſt alſo be ſubject to the Pope.

§ 55. *n.* 1. *And hath in ancient Councils, together with other Churches, ſubjected it ſelf to that See before the* Saxon *Converſion.*

Yet fourthly; If the *Brittains* were not converted by that See, it may be ſhew'd, that they had ſubmitted themſelves, and join'd with the reſt of Chriſtianity in thoſe Conciliary acts, which had given ſome ſupremacy of Juriſdiction, to the See of *Rome*, (amongſt others) over them. For we find ſome of the *Brittain* Biſhops preſent, as at the Council of *Ariminum*; where, as *Severus* (*Hiſt. l.* 2.) and *Spelman* (*Appar.* p. 24.) ſay, three of them, being poor, were maintain'd on the Emperor's charge; ſo, before this, at the Council of *Sardica* (aſſembled ſome twenty years after that of *Nice*) as *Athanaſius*, who was alſo preſent there, himſelf witneſſeth (ſee before § 23. *n.* 1.) and therefore may the Canons of that Council be preſum'd, amongſt the reſt, to be ratified by them, or at leaſt, being paſs'd by the major part of that Occidental Council, to oblige them. Now what honour theſe Canons give to the Roman Biſhop, how they conſtitute him ſupreme in Appeals, ſee before § 11.

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[Againſt this (urg'd by *S. W.*) Biſhop *Bramhall* (*Rep. to S. W.* § 4. *p.* 24.) replies; 1. That it doth not appear, that the *Britiſh* Biſhops did aſſent to that Canon, 2. That the Council of *Sardica* was no G. Council after all the Eaſtern Biſhops were departed, as they were before the making of that Canon. 3. That the Canons of the Council of *Sardica* were never receiv'd in *England*, or incorporated into the *Engliſh* Laws; and that without ſuch incorporation, they did not bind *Engliſh* Subjects. 4. Laſtly, That this Canon was contradicted by the great General Council of *Chalcedon*. To which I anſwer: That this Council at leaſt was a full and compleat Occidental Council. That Canons paſs'd by the moſt part of ſuch a Council, are obliging to the reſt contradicting, whether Perſons, Churches, or Chriſtian States. That where no contradiction of any perſon, Church, or State appears, they are preſumed to aſſent, (in juſtification of which, ſee a more large diſcourſe in *Par.* 2. § 4. and 24.) That if the Canons of Councils only receive force in a Chriſtian State by being incorporated into their Laws, then by being expung'd again at pleaſure out of theſe, they loſe their force: And then where is the Church's authority in her Decrees, which are valid only till any particular State pleaſeth to eject them? That thus he will find, either not all Canons, which he grants obliging, incorporated into the *Engliſh* Laws, (I mean thoſe before the Reformation), or more; namely, thoſe of Councils held ſince the firſt four, or ſeven or eight, Oecumenical ones. Laſtly, that the Council of *Chalcedon* no-where contradicts or reverſeth this Canon, for the Weſtern Provinces at leaſt, but rather eſtabliſhes it, in giving the Patriarch of *Conſtantinople* like priviledge § 55. *n.* 2.

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in the East; even the *Cypriots* not being exempted therefrom. (See before § 21.)

§ 55. *n.* 3. From this Council, twenty years after *Nice*, let us ascend to the Council of *Arles* in *France*, convocated by *Constantine* the Emperor ten years before that of *Nice*, (of which see before, § 23. *n.* 7.) and in this also we find the presence and subscription of *Brittain* Bishops (see *Hammond, Schis.* p. 110. *Bramh. Vind.* p. 98.) of which Bishops, thus Sir *Hen. Spelm.* A. D. 314. *Aderant e Britannia celebriores (ut videtur) tres Episcopi* [surely in Dignity much preceding, and much ancienter than the Bishop of *Carleon*] *nempe Eboracensis, Londoniensis, & de civitate Coloniæ Londinensium (quæ alias dicitur Camelodunum) una cum Sacerdote Presbytero, & Diacono, qui & canones assensu suo approbabant, & in Britannia redeuntes, secum deferebant observandos.* Now, there you may review the first Canon thereof, setling the matter of *Easter* to be kept through all Churches on the same day; and the divulgation of this thro all Churches committed to the Bishop of *Rome, secundum consuetudinem.*

§ 56 *n.* 1. Therefore the speech of the Abbot of *Bangor* (urg'd by Dr. *Hammond Schis. p.* 111. and B. *Bramhall Vindic. p.* 103.) that he knew no obedience due to him, whom they call'd the Pope, but the obedience of Love. where B. *Bramhall* saith; Observe what strangers the *Brittains* were to the Papacy, *that man whom they call the Pope*; seems (if perhaps authentick) full of ignorance; who, after all that power exercis'd by this man call'd the Pope over the whole Church of God, especially over the Western Provinces, and so much respect return'd him from them, as is set down above in this discourse (for I have made

made ſcarce any quotation but before, or in this Abbot's time), after the preſence of the Brittain Biſhops at ſo many famous Councils, after ſo many holy Biſhops ſent for the converſion of theſe Iſlands by the Biſhop of *Rome's* delegation, ſhould be ſuch a ſtranger to his Perſon, or Authority, or his Titles (the like Titles to which given him in this Abbot's, ſee given him in *Cyprian's*, time, § 33.) after A. D. 600. Where alſo you may obſerve; That the *Iriſh* Biſhops yeilded all obedience to this *Roman* Biſhop at this very time, when the *Britiſh* thus denied it; as appears, both in that they are ſaid by *Bede* (the South *Iriſh* at leaſt) to have return'd very early to a right obſervation of *Eaſter*, *ad admonitionem Apoſtolicæ Sedis Antiſtitis* (*Hiſt. l.* 3. *c.* 3.) And alſo in that about this time they ſent Letters to St. *Gregory*, then Biſhop of *Rome*, to know, after what manner they ought to receive into the Church ſuch as were converted from *Neſtorianiſm*; to whom he ſends his orders concerning it, directed *Quirino Epiſcopo & cæteris Epiſcopis in Hibernia Catholicis*, *Epiſt.* 61. of *l.* 9.

And as for this plea, of the *Brittain's* ſubjection only to the Archbiſhop of *Caerleon*, you may note; That the firſt Archbiſhop of this City, that is known or ſpoken of, is *Dubricius*; who, after much ſervice done by him againſt *Pelagianiſm*, was conſecrated Archbiſhop by *Germanus* and *Lupus*, ſent from *Rome*, as is ſaid above § 54. *n.* 2. the third or fourth from whom poſſeſs'd that Chair when *Auſtin* came. Meanwhile, before *Auſtin's* coming, the *Brittains* had other Biſhops preeminent to *Caerleon*, a Biſhop of *York* (the chief Biſhop of the whole Nation, as that City then was the principal City, the *Roman Prætorium* being there. See *Spelm. Appar. p.* 22.) a Biſhop of *London*, and of ſome other § 56. *n.* 2.

other places, who were preſent at the Council of *Arles*, where is no mention of *Carleon's* Biſhop; of which Biſhops, *Todiacus* Archbiſhop of *York*, and *Theonus* Biſhop of *London*, being perſecuted by the *Saxons*, fled into *Wales* with their Clergy, A. D. 586. Within eleven years after whoſe flight thither, *Auguſtin* came into *England*, and upon it their perſecution in part ceas'd. Now there being no mention of any oppoſition made, by any of theſe Biſhops or their Clergy (which in eleven years ſpace could not all be deceas'd) to *Auguſtin*, but only by the *Welch* under *Caerleon*, it is probable, that they conform'd to the reſt of the Weſt, in ſuch ſubmiſſion to it's Patriarch, as was due to him by the Canons of thoſe Councils, which their predeceſſors had allow'd; and was render'd to him by their neighbour-Prelacy of *Ireland* (ſee *Greg. l. 9. Ep. 61.*); as likewiſe, that they celebrated *Eaſter* according to thoſe Conciliary Canons, and the *Roman* manner; and laſtly, that, returning into ſome of thoſe parts of *Brittain* from whence they fled, they aided *Auguſtin* in the converſion of the *Saxons*.

§ 57. *n.* 1. *The Brittain's obſervation of Eaſter different from Rome not agreeing with the Orientals; and no argument, that they receiv'd Chriſtianity from thence.*

2. That Argument, [That the *Brittains* were not formerly converted by any ſent from *Rome*, but rather by *Joſeph* of *Arimathea*, or *Simon Zelotes*, or ſome other Eaſtern Doctors, becauſe their obſervation of *Eaſter* was contrary to the uſage receiv'd at *Rome*, (ſee *Ham. Sch. p.* 113. *Bramh. Vind. p.* 104.)] ſeems of no force. 1. Becauſe the obſervation of the Orientals (thoſe of *Aſia minor* only excepted) was the ſame with the *Roman* (ſee *Euſeb. Eccl. Hiſt. l.* 5, *c.* 21.); and it is to be preſumed, *Joſeph*, or *Simon*, had they founded this Church, did celebrate this Feaſt on no other day than *Peter*, and *James*, and *Paul*, did. But 2ly, Tho the *Brit-*

Brittain's observation, when *Austin* the Monk came hither, was found contrary to the *Roman*; yet so it was also contrary to the *Quarto-Decimans* of *Asia*. For the *Brittains* observ'd it on the Lord's day only, as well as the *Romanists*; only their Lord's day was that which happen'd from the 14th day of the Moon in *March* inclusively, to the 20th day; but the Lord's day of the *Romanists* was from the 15th to the 21th, [the 14th day, tho it were also the Lord's day, being avoided, because it was the *Judaical* observation]; or indeed rather, because (as *Ceolfrid* the Abbot discourseth it at large to *Naitan*, King of the *Picts*, in *Bede*, *l.* 5. *c.* 22.) with the *Jews* also the first day of the Paschal Feasts, or of unleaven'd Bread, was not the 14th but the 15th day of the Moon, to which 15th day (as in all other Festivals) the even preceding, wherein the Paschal Lamb was eaten, is reckon'd to belong as the beginning thereof (and not to the 14th); therefore this Even also began the use of Bread unleven'd, *Exod.* 12.18. So that the *Britain's* kept it a week sometimes before the *Romanists*, namely, when the Lords day fell on the 14th. Of this thus *Bede*, (*Hist.* 3.*l.*4.*c.*) *Quem tamen* [diem Paschatis] *non semper Luna* 14*ma cum Judæis, at quidam rebantur, sed in die quidem Dominica, alia tamen, quam decebat, hebdomadâ, celebrabant.* and so he saith, (*hist.* 3.*l.*25.*c.*) that *Oswy* King of *Northumberland* [observing the *Britain* and *Scotch* mode] brake up his Fast, and solemnized the Feast, when the Queen with Prince *Alkfrid* continued their Fast, and kept that day their Palm-Sunday. Therefore to *Colman*, in a dispute before these Princes, urging (as the *Asian* Churches had done) the practice of S. *John* the Evangelist, desiring in their variance from the Western Churches, to adhere to those in the East; *Wilfrid* returns this answer: That the *Scots* and *Britains*

tains neither followed the example of S. *John*, [*i.e.* according to the *Asian* Churches,] nor S. *Peter*, [according to the West,] nor did their celebration of Easter agree either with the [*Judaical*] Law, or the Gospel; because they kept not Easter but on a Sunday. See *Bede*, ib.

§ 57. *n.* 2. This Error perhaps was propagated to the *Britains* (not long before) from the *Scots*. Or both *Britains* and *Scots* might incur at first a mistake therein, from the rudeness and ignorance of those times, over-run with civil wars, (which *Bede* also hinteth, *Hist.* 3. *l.* 4. *c.* —*Sciebant enim resurrectionem Dominicam prima Sabbati esse celebrandam: sed ut Barbari & rustici, quando eadem prima Sabbathi venerit, minime didicerunt.* Or it might arise (as *Bede* ib. 3. *c.* saith it did) from some of their Doctors misunderstanding the *Egyptian* computation or Cycle of *Anatolius*. Whose writings also *Colman*, the Scotch Bishop, urgeth in their defence in the disputation had before K. *Oswi* about this matter; and *Wilfrid* there also shews them to be orthodox, and mistaken. *v. Bed.* 3. *l.* 25. *c.* But upon what ground, or in what time soever this erroneous custom began here, (since we find those Bishops, which were sent from *Rome* (see before, § 54. *n.* 2.) from time to time so welcomly entertained, and so readily submitted to, by these two Islands, and in particular find S. *Germanus*, who came hither two several times, solemnly keeping his Easter here with the *Britain* clergy, (see *Bede*, 1. *l.* 20. *c.*) it follows; either that their observation of Easter was then altogether catholick; or that, if it was otherwise, yet by reason that the difference happeneth not every year, but only then, when the Lord's day chanceth to be on the 14th of the Moon, *i.e.* only once in many years, it was then by these Bishops not taken notice of, till the coming hither of

of *Auguſtin*; who firſt appears about A.D. 604 to have obſerved, and endeavoured to have reformed it, in the Weſtern Church of *Britain*. and afterward his Succeſſors, and others, well-inſtructed in the Churches practice, to have endeavoured the ſame in the North and in the *Scots*. concerning which controverſy letters being ſent to *Rome* to conſult the Pope, ſeveral anſwers alſo were directed from thence to the *Scots* condemning their practice. *v. Bede 2. l. 19. c.* Yet was it, ſtill, retain'd for ſome time both by them, and the *Britains*; till, after a fuller conviction, about A.D. 700, or not long after, both were at laſt reduced to the Catholick obſervance, (See *Bede 5. l. 16, 19, 22, c.*) as the South-*Iriſh* were, by the Pope's admonition long before. *Bede 3. l. 3. c.* Meanwhile many Saints and holy men there were, who ſo obſerved it, as their Anceſtors had miſled them, in this obſervation alſo being much more tolerable than the *Iſmani*. Neither doth it ſeem any great fault in them, but only in thoſe of later times, in whom obſtinacy after due information of the Church's decrees made it ſo.]

3. After this decree of the Church Catholick, whenever manifeſted to them, it cannot be denied, that the *Britains* became now ſchiſmatical; as offending both againſt the canon of *Arles*, mentioned before, (where were preſent ſome of their own Biſhops,) and afterward againſt that of *Nice*. This buſineſs being one of the two cauſes of the meeting of that famous Council; and being by them unanimouſly ſetled all the world over. Whoſe words are theſe, in their Epiſtle to the Church of *Alexandria*. *Socrat. Hiſt. 1. l. 6. c.* —*Quod autem ad omnium conſenſum de ſacratiſſimo feſto Paſchatis celebrando attinet, ſcitote, quod controverſia de re ſuſcepta prudenter* § 57. n. 3.

& commode ſedata eſt ; ita ut omnes Fratres, qui Orientem incolunt, jam Romanos, nos, & omnes vos ſunt conſentientibus animis in eodem celebrando deinceps ſedulo ſecuturi. And hence it was, that in thoſe later times, when the Churches orders were well known here in *England*, the Ordinations by the *Britiſh* or *Scotch* Biſhops were accounted unlawful; and ſeveral of the *Saxon* Kings, to preſerve themſelves from the Schiſm, ſent their clergy, to be conſecrated Biſhops, into *France*, (amongſt whom S. *Wilfrid* was one), and to be conſecrated Arch-Biſhop, to *Rome*. See *Bede Hiſt.* 3. *l.* 17. *c.* 28, 29. *c.* —4. *l.* 1, 2. *c.* and elſewhere. Where alſo S. *Chad*, the holy Biſhop of *Lichfield* having bin conſecrated (in the vacancy of the See of *Canterbury*, and ſome other orthodox Sees) by three Biſhops, two of which were *Britains*, and unconformable to the Church, (tho the third, *Wini*, Biſhop of *Winchester*, was ordained in *France*, and orthodox, (*Bede* 3. *l.* 7. *c.*) *Theodore*, the next Archbiſhop of *Canterbury*, is ſaid *Ceaddam arguiſſe, non fuiſſe eum rite conſecratum, —& Ordinationem ejus denuo Catholica ratione conſummaſſe.* And the ſame was obſerved alſo in the Ordination of Presbyters. *v.* Bed. 4. *l.* 2. *c.*

§ 57 *n.* 4. 4. Laſtly, It ſeemeth alſo clear enough, that they followed not the practice of their Forefathers herein; both from the preſence of the former *Britain* Biſhops in the Council of *Arles*, which determined this matter, (of whom ſee what Sir *H. Spelman* ſaith above, § 55. *n.* 3.) and alſo from *Conſtantine's* letter, *Socrat. Hiſt.* 1. *l.* 6. *c.* to perſwade the *Aſian* Churches to uniformity with the reſt of the world. In which he writes thus. —*Quoniam modus ille eximius decoruſque eſſet ſervandus, quem omnes Eccleſiæ totius orbis partes, vel ad occidentem, vel ad meridiem, vel ad ſeptentriones, incolentes, ſervant, ac non-*

nullæ

nullæ quoque quæ in locis ad orientem ſpectantibus habitant. But leſt you may think [*omnes Eccleſiæ* &c] may admit ſome ſmall exception of the Church of *Britanny*, afterwards he names it in particular, (which thing he might alſo experimentally know, from ſome part of his education there.) *In me recepi* &c, *ut quod in urbe Roma, in Italia, in Africa, in toto Ægypto, Hiſpania, Gallia, & Britannia*, &c, —*una & conſentiente ſententia conſervatur* &c; unleſs we will ſay the *Scotch* and *Welch* Biſhops anciently to have obſerved Eaſter in this faſhion, whilſt the reſt of the *Britiſh* Biſhops, viz. *York*, *London*, &c, kept it in the *Roman* manner. Add to this what *Bede* ſaith of the origin of this Error in the *Scotch* Nation, (and the ſame may be preſumed in the *Britiſh*,) (*Hiſt.* 2. *l.* 19. *c.*)—*Nuperrime temporibus illis hanc apud eos hæreſim exortam, & non totam eorum gentem, ſed quoſdam ex iis, hac fuiſſe implicitos.* Which *Honorius*, and other *Roman* Biſhops, with their letters (ſee *Bede* ib.) endeavoured as ſoon as might be to ſuppreſs. And judge you by theſe things, how juſtifiable thoſe proceedings of the *Britain* Clergy or Councils of that time mentioned (*Bram. vind.* p. 104.) were in oppoſition to *Auguſtin* the Monk; who only required of them in this thing to follow the tradition of the Church; and objected againſt them,—*quod in multis Romanæ conſuetudini immo univerſalis Eccleſiæ contraria gererent; & quod ſuas traditiones univerſis, quæ per orbem ſibi invicem concordant, Eccleſiis præferrent.* All which was true, and the proponent alſo confirmed this truth before them with a miracle, reſtoring his ſight to a blind man. See Sr. *H. Spelm.* A.D. 601.

Now if it be here wondred at, (ſee Biſhop *Bramhal's* *vindic.* p. 97.) that in the *Britains* ancient ſubjection to the *Roman* Patriarch there ſhould appear no more foot- § 58.

ſteps

steps of any acknowledgment thereof; no such intercourse of Epistles between him and *British* Prelats, in a nation so anciently Christian, as those of other Western Provinces: The reason thereof seems to be; because Christian Religion, tho early planted here, yet made little growth, lighting in a soil then very rude and barbarous, and being miserably oppressed and disturbed, from its very first appearance, with wars foreign and civil; the lately subdued natives either taking up arms against the *Romans*, to shake off their new yoke; or, when the more civilized part submitted thereto, invaded by their Northern and Western neighbours, the *Picts*, and *Scots*, and the *Irish*; and their former conquerors the *Romans*, by reason, of civil divisions between the Emperors themselves, and afterward of the frequent inroads into the Empire of barbarous Nations, no way able to protect or succour them. Lastly, (upon their calling in other foreign auxiliaries, the potent *Saxons*), forced to combat also with those whom they brought-in for their aid for almost two hundred years, till at last they became their slaves. Thus did this poor Nation live in much distress (see *Gildas*, and S. *H. Spelman* in his *Apparat.* p. 12.) even from *Constantine*'s time, when Christianity elsewhere enjoyed some rest, until the settlement of the *Saxons*, and their conversion to Christ. Which also may be the reason, that for the first 600 years, in those, elsewhere so learned and flourishing times, there are not extant, or at least not divulged, the works of any one *Britain* writer (born and residing here) in theological matters, excepting *Gildas*; nor so much as the names known to posterity of the chief *British* Bishops who lived in these times, save of a very few, (see *Spelm. apparat.* 22. p.) who for the 300 years between *Constantine*'s days and the coming of *Austin*, mentions some

ſome three or four Biſhops of *York* the prime Seat, and as many of *London*; and the firſt known Biſhop of *Caerleon*, after A.D. 500.

§ 59. *That the Engliſh nation is ſufficiently tyed to ſuch ſubjection by the Decrees of latter Councils, wherein her Prelats have yeilded their conſent.*

5. But, let theſe obligations aforeſaid go for none at all; and let not the *Britain* only, but the *Saxon* alſo, be originally free from any ſubjection due to the Roman Patriarch, both in, and after, the days of Archbiſhop *Auguſtin*. Yet by the 3*d*. and 4*th*. Propoſitions made before, (§ 48. and 49.) ſuch liberty can be no way pretended, (ſee *Hammond ſchiſ.* p. 65. 100. *Bramh. vindic.* p. 96.) if frequent canons of latter Councils, eſpecially, wherein the *Engliſh* Biſhops have bin preſent, and given their ſuffrage, have reſtrained it. Now how many Councils are there ſince 600 or 700 years after Chriſt, (as the 8. General Council, the *Lateran*, *Conſtance*, *Baſil*, *Florentine*, &c,) whereof the *Engliſh* Biſhops were either members, or at leaſt in abſence accepted their Acts; which have confirmed to the Biſhop of *Rome* thoſe juriſdictions over the whole Church, (excepting the Queſtion of his Superiority to General Councils,) or at leaſt over the Weſtern part thereof, (conformed-to likewiſe by the ordinary practice of the *Engliſh* Prelats,) which the preſent Reformation denies him? See the 8*th* and 15*th* Seſſion of *Concil. Conſtantienſe* (much urged by Proteſtants, as no flatterer of the Pope, and wherein, the Council voting by Nations, the *Engliſh* were one of the four,) condemning, againſt *Wickliff* and *Huſs*, ſuch Propoſitions as theſe. Seſs. 8. —*Papa non eſt immediatus Vicarius Chriſti & Apoſtolorum.* —*Summus Pontifex Eccleſiæ Romanæ non habet primatum ſuper alias Eccleſias particulares.*— Seſſ. 15. —*Petrus non fuit, neque eſt Caput Eccleſiæ ſanctæ Catholicæ.* —*Papæ præfectio & inſtitutio a Cæſaris potentia emanavit.* —*Papa non*

non est manifestus & verus Successor Apostolorum—Principis Petri, si vivit moribus contrariis Petro. —Non est scintilla apparentiæ, quod oporteat esse unum Caput in Spiritualibus regens Ecclesiam, quod [caput] *semper cum ipsa militanti Ecclesia conservetur, & conservatur.*— Now these canons of a Council, supposed not General, but Patriarchal only, are obligatory, at least, to the members thereof, and consequently (by what is said § 40.) to their posterity, until a Council of equal authority reverse them.

§ 60. *That the principle, upon which Dr.* Hammond *sets the English clergy & nation free from such former obligations, hath bin shewed to be erroneous.*

6. Whereas Dr. *Hammond* thinks to free Prince and People, Laity and Clergy, from any submission that former canons may require, or from any concessions that the clergy, or the former, or also the present, Prince, hath made to the Bishop of *Rome*, or to any other Patriarch, upon this ground which he builds much upon; [*That it is in the power of Christian Princes, within their Dominions, to erect or translate Patriarchates.*] For thus he saith, (*Schis. p.* 115.) —"To put this whole matter 'out of controversy; it is, and hath always bin in the 'power of Christian Emperors and Princes, within their 'Dominions, to erect Patriarchates, or to translate them, *&c.*— And (*p.*132.) —"Upon that one ground laid in the former chapter, the power of Kings in general, and 'particularly *ad hunc actum*, to remove Patriarchats, 'whatever can be pretended against the lawfulness of 'the Reformation in these Kingdoms, will easily be an-'swered.— And (*p.*137.) —"The whole difficulty 'devolves to this one enquiry, Whether at that time of 'the Reign of *Hen.* 8. the Bishop of *Rome* had any re-'al authority here, which the King might not lawfully 'remove from him to some other.— And (*p.*138.)—The '3*d.* will appear to have received its determination also by

'by the abſoluteneſs of the power of our Princes, —and 'by the rights of Kings, to remove, or erect, Patriarchats.– And (*p.* 140) –" If the Pope held his Supre-'macy here in *England* by the Title of Regal conceſſion, '[*as Dr.* Hammond *holds he did, ſee p.* 138. 142.] then 'he may diſpoſe it from him to ſome other, as freely as 'the ſame King may upon good cauſes remove his Chan-'cellor *&c.* And (*p.*142.) —Thus certainly the King, 'being the fountaine of all power and authority, as he 'is free to communicate this power to one, ſo is he 'equally free to recall and communicate it to another.– 'And this takes-off all obligation of obedience in the 'Biſhops to the Pope at the firſt minute that he is by 'the King diveſted of that power. —Which freedom 'from that obedience immediately clears the whole bu-'ſineſs of Schiſm, as that is a departure from the obedi-'ence of a lawful Superior.– Thus He. Now I ſay, whereas he builds ſo much on this ground, to remove thereby all difficulties and objections; I think, I have above (by the firſt Propoſition §. 38. and by anſwering his proofs thereof §. 43. and alſo by ſo many contrary examples brought in the former part of this Diſcourſe) ſufficiently ſhewed it to fail him, and to be untrue. Only here obſerve one thing concerning this right of Princes; That the Doctor [it being much preſſed by *S. W.* (upon the Doctors quoting ſome Church-canons for it, of which review §. 44.) '* That if Princes had any 'ſuch right, they had it not as their proper right, inde-'pendent on the Church, or her canons,] in his anſwer to this (*p.* 174.) ſeems ſomewhat uncertain and wavering, by what Title Princes hold it. His words there are. "I, that meant not to diſpute of ſuch myſteries 'of State, deſirous to unite the Civil and Eccleſiaſtical 'power, and not to ſow ſeeds of jealouſies and diſſenſions

'betwixt them, finding the ſame thing aſſumed by 'Kings as their right, and yeilded them by the Church 'to be enjoyed by them, thought I might hence con-'clude this to be unqueſtionably their due; but whe-'ther it were from God immediately conferred on them, 'and independently from the Church, or whether the 'Church in any notion were the *medium* that God uſed, 'now under the Goſpel, to confer it on them; truly I 'neither then was, nor now am, inclined either to en-'quire, or to take upon me to determin.– *And afterward.* '—If it were not formerly the Prince's right, but the 'Churche's, then ſure it is become ſo by that donation. Now then if Princes ſhould happen to hold this right only from the voluntary conceſſions of the Church or Councils, or particularly from the clauſe of one canon paſſed in the Council of *Chalcedon*, (upon which canon the Doctor (*Schiſ. p.* 120) confeſſeth, *Balſamon*, a great ſtickler for Regal authority, to found it,) then I leave to their conſideration, whether the ſame reaſon he pleads (upon the inſtance of former Kings of *England* conceding Supremacy to the Pope) for Princes reverſing the donation of their right when they pleaſe, may not be returned him for the Church or her repreſentative, the Council. For if the Prince cannot give his right away, but ſo that he may recall and reſume it, ſo neither can the Church. And then, after ſo many canons in, and ſince, *Chalcedon*, reſerving to ſuch particular nominated Patriarchs their priviledges, (the Church of *England* according with the reſt,) and extending this their juriſdiction over ſome Princes ſubjects at leaſt, who have the ſame power and rights as the Kings of *England*; and expreſly prohibiting Princes to remove Patriarchs, (8. *Gen. Counc. can.* 21.) where will his plea be?

Yet

Yet farther; (but, in what I ſhall ſay now, I will not be too peremptory,) ſuppoſe the erecting and tranſlating Patriarchates to be the Prince's right; and that originally: yet it may be ſuch a right, as once parted with, cannot be reſumed by the former owner. For ſuch rights there are, as, once paſſed away, are not to be retracted; and ſuch as we may alienate not only from our ſelves, but from our ſucceſſors, if ſuch be the purpoſe of our donation. And why this right may not be numbred amongſt ſuch, I yet ſeek a reaſon. If it be ſaid; the King cannot diveſt himſelf of ſuch a right, without which his Regal power (which he intends to keep to him and his ſucceſſors entire) cannot ſubſiſt, I willingly grant it. But the Regal power may well ſubſiſt, without the right of conſtituting or tranſlating Patriarchs. For the Regal power is entire in a Prince not Chriſtian; yet ſuch Prince hath no power to erect or remove thoſe Patriarchs, who have a Spiritual Supremacy over his, ſo many as are Chriſtian, Subjects. Again; the Prince, when Chriſtian, as now, being a Son of the Church, muſt alſo be ſubject to ſome Patriarch, *i. e.* ſupreme Church-power (giving to him Eccleſiaſtical Laws, and (if need be) inflicting Eccleſiaſtical cenſures, *&c.*) or other; and ſo muſt alſo his ſucceſſor, if Chriſtian. Neither doth his power to chuſe or appoint the perſon bearing ſuch Office, any way leſſen ſuch ſubmiſſion, ſo far as it is due; neither doth it impoſe any more ſubmiſſion upon his ſucceſſor, than is due. Why therefore this may not be a right alienable and partable with, I ſee not. When-as the Kings electing a Spiritual Supreme to be over him, ſeems not to be like the chuſing of a Chancellor, or other Officers to ſerve under him (as the Doctor compares it, *Sch.* p. 140.)

§ 61. *That ſome rights once reſigned, and parted with, cannot afterwards be juſtly reſumed.*

but

but rather like the people's electing a Temporal Soveraign. Now such people, in electing such a Temporal Prince, transfer not their dominion and power (which every single person had before over himself) upon him, or submit their obedience to him, *durante bene-placito*, or *quamdiu se bene gesserit*; *bene*, *i. e.* in their judgment (for so, who obeyeth only so long as he pleaseth, needs to obey only what he pleaseth; for so soon as any thing displeaseth, he may change his Governors. So, to make instance in the matter in hand, if *Ambrose* upon just cause exercise some Ecclesiastical censure upon *Theodosius*, *Theodosius* may presently remove *Ambrose* his Metropolitan power to another); but we tye them to Allegiance; and tell them of their former right now given away, and bind the Children and Successors to the act of their Forefathers.

Thus much of the Authority and Subordinations of the several Ecclesiastical Persons and Orders. In the next Part, I will proceed to shew you the Authority and Subordinations of these, as they are united in several Bodies of Councils.

FINIS.